

Carmel Library,
Box 800,
Carmel, Calif.

The Carmel Pine Cone

KEY BID \$123,813 ON HIGH SCHOOL JOB

Whole Peninsula Joins in Cascarone Ball



In a sunken garden of the Friendly Plaza in Monterey are these girls, representing all parts of the peninsula, in the costumes of old Spanish California. They are: On the wall, Virginia Brady at left, Phyllis Wormley standing, and Audrey Carmody seated at right. Below, standing, Martha Rico at left and Edith Cox at right, Norma Prince seated. They will dance in gay Cascarone ball at Del Monte.

Survey on Parking Desires of Village Now Being Conducted

The Carmel Business Association committee on business area parking, headed by J. L. Shroeder, is conducting a post office survey of residents in an effort to obtain a consensus on whether there should be one-hour parking, two-hour parking, or no limit on parking on Ocean avenue and Mission and Dolores streets.

Parking limits have been suggested for Ocean avenue between Mission and Monte Verde and on Dolores and Mission between Ocean and Seventh avenues, on both sides of these streets.

Other members of the committee are Mrs. Ida Newberry, Victor Graham, Conrad Imelman and Fred McIndoe.

A LITTLE MISTAKE

We tried to keep the six pages of city ordinances in this issue in the correct order, but one page got misplaced. When (if) you read the ordinances, go from page 13 to page 15, go from page 15 to page 14 and go from page 14 to page 16. From there on it's clear sailing.

GEORGE GORDON MOORE LOSES SAN CARLOS RANCH

The storied Rancho San Carlos, long the pastoral abode of George Gordon Moore, an easterner who came West in boom times and bought 21,000 acres in the heart of the Santa Lucia Mountains, is no more the dream of a man who loved the grandeur of these solitudes.

George Gordon Moore has departed. His ranch has been foreclosed and sold to Arthur C. Oppenheimer and Alice J. Rosenberg. Some of the fine horses bred by Moore have gone, too, sold at auction to the highest bidder. Even the flock of goats that roamed the scrubby hills will follow down the sad road from Rancho San Carlos.

In an effort to save the heart of his domain, Moore sold part of his vast holdings about a year ago. This, however, failed to satisfy Gerald Hermann et al., holders of the mortgage.

Today the new owners of the ranch are installed and Moore is living in either San Francisco or Los Angeles. Even his close friends and his former servants seem not to know his whereabouts. But it is cer-

tain that somewhere the socialite grieves with a broken heart for the glories that once were his.

An air of mystery still pervades the ranch—those who attended the auction of stock there this week have vague reports of what changes are taken place—an aura of mystery always followed George Gordon Moore.

It is known by friends, however, that during the last war he was closely associated with the British war ministry and supposedly greatly aided in perfection of the modern hand grenade. His former wife, after being married to Aiden Roark, is now Mrs. Sidney Fish, mistress of adjoining Palo Carona Ranch. At a previous sale, which clipped many acres from the extensive Moore property, Fish made a large purchase to add to his own holdings.

During the past year negotiations were reported for lease of the Rancho San Carlos to the elite 21 Club of New York City for a dude ranch. Jack Kriender of the 21 Club was reported to be active in the negotiations.

Carmel Man Prefers Jail to Banishment From Our Town

"Better fifty years of Europe than a cycle of Cathay!"

August Miller, Carmelite, is probably reciting some such line as he sits out 30 days in the county jail.

Miller was given the alternative of freedom with banishment from Carmel, but he preferred to take his jail sentence so he could return here to live.

He might have paraphrased "Give me liberty or give me death," but Judge Ross didn't hear him.

In fact not even Police Chief Robert Walton heard him mutter, "Give me Carmel, or give me jail."

Miller, who was charged with using abusive language, said he would apologize and mend the error of his ways.

PT. LOBOS BENEFACTOR, E. S. HARKNESS, DEAD

The gift of a half a million dollars which made possible the acquisition of Point Lobos as a state reserve was recalled this week with the arrival of news that Edward Stephen Harkness, New York multimillionaire philanthropist, had died at his home.

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Year, \$2.00

Copy, 5c

Dozen Bids Under Consideration by Board

From all appearances it looks as if Carmel can have a fairly complete high school for \$123,813, the total bid submitted by S. C. Giles of Stockton. Altogether 13 bids were opened yesterday, one of which was thrown out as incomplete, and a 14th bid arrived too late to be considered.

Next closest bid for the total job was submitted by the F. C. Stolt Company of Pacific Grove, which recently completed the \$110,000 sewage treatment works for the Carmel sanitary district, a bid of \$124,680.

Harold C. Geyer of Monterey bid \$124,863; and other total bids were as follows: R. W. Brown Construction Company, \$125,157; L. H. Hansen & Sons, \$136,860; Liner and Allen, \$127,390; Midstate Construction, \$133,333; R. A. McLean, \$132,770; Miller Construction, \$129,932; Nielsen & Erbentraut, \$126,000; L. S. Peletz, \$124,900; Trewitt-Shields-Fisher, \$124,997.

Most of the bids were tightly grouped as to figures, as the above shows.

Alternate bids were also called, most of them for reduced requirements, but a few for additional specifications, such as changing the window sashes to wood; installing adobe, stone and asphalt floors; sewer and water main; and public address system.

To finance the building of the high school, the Carmel Unified school district passed a bond issue of \$165,000, of which \$31,000 was the cost of the 22-acre Hatton Ranch site.

The school board will meet daily until figures can be thoroughly checked so a decision can be made not only on who is to build the school but how much to build.

Additional explanation of the school board's plans is expected at tonight's meet in the Sunset library at 8 o'clock.

CHESS CHAMP HERE MONDAY

National Chess Champion I. A. Horowitz, who played here last year, will return on Monday evening at Pine Inn. Play will start at 8 o'clock.

Carmel Pine Cone 25 Years Old

With this issue, the Carmel Pine Cone is 25 years of age. Founded by William Overstreet, The Pine Cone first appeared on Feb. 3, 1915—25 years ago tomorrow.

Because of the volume of new city ordinances, which must be published in today's Pine Cone and during this month, the 25th Anniversary Number of The Pine Cone will appear soon, but at a date yet to be decided upon.

This will take the form of a special Silver Anniversary Number of wide appeal, featuring the growth of Carmel in this period. Copies may be reserved in advance.

BOOKS

**MASTEN'S SHARP TONGUE
CATCHES CHAMBERLAIN
ET AL QUITE UNAWARES**

SPEAKING OF UMBRELLAS. Richard L. Masten. Carmel Press. 50 cents.

In the public prints, on the stage, in club entertainment Richard L. Masten's sharp humor, good humor, at the expense of Chamberlain, Hitler, Mussolini, Goering, Stalin, Daliadier, Ghandi—who not?—has expressed itself in exceedingly able rhyme.

Mr. Masten, who lives over the edge of the Pacific Ocean at Carmel Highlands and makes daily pilgrimages to Carmel to bring his children to school, has a penetrating mind. He does not stumble over the little things (they look so big to most of us!) that stand in the way of our doing something about it.

Most of us usually stand about wringing our hands and asking each other: But, what can we do about it?

Well, Mr. Masten fails to notice the puny hurdles in the way, stretches out the legs of his mind, and is off. Maybe it's a jingle that results or a prose composition. You may not always agree, but it's probably good reading, if lengthy, and it seldom fails to have that smattering of Yankee humor that is typical of him.

In "Speaking of Umbrellas" you have a collection of the verses by Masten in which the essence of his wit is distilled into a minimum of banal words. His keen eye on his subject turns up facets that are refreshing.

He is also the author of "The Devil Who Saw God", a play, and of a novel, "St. Udo", both published.

THE DAYS ARE FLED. Percy Marks. Frederick A. Stokes Company. \$2.50.

That people do sometimes get breaks is the main theme of this book. Stuart Shaw was forced into being a violin prodigy by his father, forced to win a scholarship with Reichardt in Dresden by his teacher, Kerstein, who rode to fame as a teacher as a result.

In Germany he relaxes into a nervous collapse and recovers due to the sympathetic care of Reichardt and the friends he made for the first time in his life. But he is a failure as a great violinist and on his return to America is forced to earn his living travelling with a lyceum troupe.

In Los Gatos, Calif., his playing is heard by Gilbert Duncan, wealthy importer from Piedmont, who talks in a staccato manner to hide his heart of gold which he is terrified will be discovered as a bonanza.

Duncan gets Shaw a teaching job in the Kindler School for Girls near Oakland where he fails as an instructor but wins a fine wife, Madge.

Madge surprises Shaw by producing twins, a boy, Craig, and a girl, Lorna, and they all live together in rapidly increasing poverty. Only bright spot for the violinist is his evenings at the Duncan mansion when a group plays chamber music.

The school closes, but Craig, by this time in his teens, keeps the family fed with his various successful enterprises.

Then comes the break. Duncan bequeaths Shaw a trust fund and money to purchase a home and in due course the Shaws are all happy on a ranch in Sharon in northern California.

But the townspeople don't understand Shaw and this causes trouble. He has taken under his wing a young Italian violin genius and with him finally wins the acclaim of all America and, more important, of Sharon. The book closes with everyone completely happy.

Events do break consistently well for the quiet, unassuming Shaw, but the reader grows to feel that he richly deserves his luck and have a

deep fondness for the man who is strangely like Casper Milquetoast. The main scene of the book is in California and in spite of the obviousness of many of the situations, there is a good weep for those who enjoy a quiet cry.

* * *

*A SENTIMENTAL ACCOUNT
OF THE LAST TWO YEARS
IN THE LIFE OF R. L. S.*

HOME FROM THE SEA. Richard A. Bermann (translated by Elizabeth Reynolds Hapgood) Bobbs-Merrill, \$2.75 at The Village Book Shop.

"Under the wide and starry sky,
Dig the grave and let me lie,
Glad did I live and gladly die."

These were the words written by Robert Louis Stevenson to be placed on his gravestone atop Mount Vaea in Samoa, and they were true except the last three. He died reluctantly with still so much to be done. Foremost was his desire to finish "Weir of Hermiston", his last and greatest book. Scenes from this work kept crowding to his mind during the final months of his life and so much occurred to push them away.

There was the constant round of social activities on Vailima, his Samoan plantation. There was the plight of the Samoan people who were struggling to maintain their national autonomy against the great powers of England, Germany, and the United States, and there was the need to produce money for the upkeep of his family and Vailima. Above all was the shadow of Mount Vaea which daily reached closer to the writer, eager to embrace him forever in the grave on its summit. His lungs were almost gone yet in spite of the ever-recurring hemorrhages, he never spared himself and circumvented the watchful care of Fanny, his wife.

R. L. S. was glad to live and every day showed it more. But he was exiled in Samoa with his heart in the misty glens of Scotland. He was Tusitala, the Teller of Tales, the Lord of Vailima in the exotic South Seas, but every Sabbath his dusky servants met in the great hall of the house clad in their livery of Stuart tartan kilt and white shirt and listened while Stevenson read the prayers he had composed so carefully so that they should be entirely non-sectarian, while all about, among the Samoan furnishings, were the austere pieces of mahogany brought from Scotland by Stevenson's mother.

R. L. S. was passionate in his defense of the Samoans against the great powers and the natives loved him for it. True, he espoused the losing side in the civil war which resulted from their struggle, but in the end he was proven correct in his choice. The chieftains who were defeated were imprisoned in a camp, but he did not forget them and came to their aid with food and comfort. They returned this with a great feast and when their time of internment was over and their debt paid to the government, they still had another to repay to Tusitala.

Coach Lloyd Winter of Salinas Junior College has never coached a team whose opponent made more than one touchdown per game.

Salinas tied Placer and Santa Rosa for the Northern College Conference championship in football for the 1939 season and Salinas won the flip of the coin for the cup.

Coach Winter has coached only two losing teams in five years and lost by one point both games. Hollister 7, Watsonville 6, in 1934; Placer 7, Salinas 6, in 1939.

Coach Winter has only coached one team that failed to score upon its opponent, Santa Rosa 0, Salinas 0.

Salinas Junior College championship track and field team of 1939 never lost a dual meet, although it competed in 12 dual meets.

Salinas Junior College has two

Dr. Bermann went to every possible source for the material on which to base his story of the last two years of Stevenson's life and then bound the pieces together with loving imagination. True, he is sometimes sentimental, but he was dealing with a very sentimental person who loved such lost causes as that of Bonnie Prince Charlie and the people of the South Seas who were being bound down to what was for them cruel life, when they were meant to be children, full of laughter and beauty and simplicity.

He recreates the last few months of the life of a man who was the "best loved writer of his age". It was full of stirring incident and gay happening: balls, a celebration of the famous birthday which Stevenson gave to Anne Ide, and ceremonial kava drinkings with the Samoan chiefs.

The author has put himself entirely in Stevenson's place through the two years, and he tells of how after his death the second road was built for Tusitala, "The Road of Sorrowing Hearts", and of the unbreakable tapu which the high chiefs of Samoa proclaimed after his death, which no Polynesian would dare to defy. To this day none of the woodland birds are allowed to be shot. The natives still sing melancholy songs in honor of the Papalangi (white man) who loved their island and died with the cry, "I want to live on", in his heart.

Review copy courtesy of Village Book Shop.

* * *

SILK AND SATIN LANE. Esther Wood. Illustrated by Kurt Wiese. Longman's, Green and Co. \$1.50.

Ching-Ling is a little girl in Shaohing, China, where little girls are not wanted. But she is a little girl of character and during the course of her adventures proves to everyone, including her great-aunt, Old Jade, that at least one little girl is as valuable as a little boy, such as Elder Brother, and wins a place for herself in her Uncle Sing's house in Silk and Satin Lane, and in the hearts of the neighborhood. The black and white illustrations by Kurt Wiese are plentifully placed throughout the book and have a direct simplicity and charm such as a child enjoys.

Salinas J. C. Boasts Interesting Sports Record, Athletes

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The Capitol Cauldron

By AMOS BARRETT

FOREST MURMURS: Carl Sugar, who resigned as chairman of the state forestry board to become an investigator of the division, plans to assume control of the board again when his job is completed in mid-February. The investigation will be used to support a demand for complete reorganization of the division of forestry.

POLITICS: The word of Frank C. Jordan's death had scarcely flashed throughout the State before Governor Olson was besieged with applications, suggestions, pressures of all kinds for the \$5000 a year job. Observers are giving odds the man who has been secretary of state in fact during the latter year of Jordan's incumbency—Charlie Hagerty—won't get the governor's nod.

SACRED COWS: The word has gone out to "the boys" from Mon. Artie Samish, the lobbyist's idea of a lobbyist, that there must be no foolishness about defeating proposed increases to alcoholic beverage taxes and horse racing fees. The great man also feels it would be a pity to have liquor control wrested from the state board of equalization now he has gone to such pains to have it "cleaned" up by removing Bill Bonelli of Los Angeles. These three items, all supported by Olson, may as well be counted out right now, as far as new legislation is concerned.

Little or no protest will arise over hiking the tax on cigars, cigarettes and smoking tobacco. The American Tobacco Company isn't bothering to lobby against the measure and the great smoking public isn't likely to have a pressure group to bellow up a fog of opposition. There will be some matter-of-course opposition from Republicans and Democrats who like to talk of the workingman's dollar again, now it is re-election year.

3-Rs: The state board of education is soon to feel the effect of Olson appointments which will give him a 6 to 4 control over the educational policies of the state.

The board is currently in a tangle over new arithmetic textbooks, some 1,500,000 of a new \$475,000 issue having been suspended in mid-air because Olsonites would not go along with a bid \$40,000 higher than the present firm has bid.

pole vaulters who have cleared the bar over 13 feet.

Merritt Davis, transfer from San Mateo, has run the half mile in 1:56.

Salinas Junior College has an outstanding athlete in Benny Robinson. Benny has high jumped 6 feet 3 inches, made a throw of 196 feet in the javelin, has pole vaulted over 13 feet and broad jumped 23 feet.

Salinas also has three high jumpers who can clear 6 feet, including Robinson, Roger Romine and Jay Lewis. Harold Davis, sensational sprint star, has run the 100-yard dash in 9:6 and blazed through the 220 in 20:9.

DEED: Nell Sutherland Boggs to Stanhope S. Boggs. Dec. 11. \$10. Sly 1/2 of Lot 8 & Nly 1/2 of Lot 6, Blk. 11, Add. 3, Carmel-by-the-Sea.

DEED: Del Monte Properties Co. to Louis C. Roller & Frances Roller, wif., jt. ten. Sept. 21. \$10. Lot 11, Blk. 208, Mt. Pen. Country Club Subd. No. 2.

DEED: Jane Gray to Lucy B. Jacob. Oct. 6. Lot 15 & S 1/4 of Lot 13, Blk. 53, Carmel-by-the-Sea.

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Caesar Had His Maginot! Shakespeare Goes Modern

By ANDRE FRENCH

The Maginot isn't the first line to be drawn across the battlefields of history. There was a mighty important one drawn across two hill-tops in Macedonia, at a place called Philippi.

The circumstances surrounding this ancient line (it was 42 B. C.) sound as modern as the current hissing across the Rhine between England and France on the one side, and Germany on the other. At Philippi there was a Republican army, fighting for a democratic form of government. And there was an army of the dictators, fighting for Totalitarianism.

Caius Cassius, one of the generals of the Republican army, wanted to hold his Maginot line. But Marcus Brutus, the other Republican general, didn't. They weakened themselves by taking the offensive (as France and England and Germany are now too smart to do) and the greatest experiment in democracy the world had yet known fell before the Dictators.

All these happenings are soon to be shown in Carmel at the Sunset auditorium when the Charles McCarthy Productions, under Chick McCarthy's direction, put on their modern version of Shakespeare's "Julius Caesar."

This great political tragedy, which is as pertinent to the world today as this morning's headlines, is to have its first Pacific coast showing in modern dress. Julius Caesar and the politicos will wear army uniforms something like the Fascist uniforms of Mussolini. And to carry out this modernity, spears and arrows will give way to rifles and pistols. The battle scenes between the Republican army and the Dictators will be as modern as a Russian attack on Finland. There will be the sound of airplanes and machine guns and bombs and hand-grenades. Peter Harding is in charge of these modern sound effects.

Rehearsals have been going on for over a month now, and, the large cast is rapidly shaping up. Noel Sullivan is to play Julius Caesar. Herbert Heron, who is assisting in the production, will play Marcus Brutus, and in this connection it is recalled that it is exactly ten years ago that Heron presented "Julius Caesar" in the Forest theater. Andre French is the master conspirator, Caius Cassius. John Eaton will be the orator, Mary Anthony. The only two important women's roles are be-

ing played by Edith Prisbie as Calpurnia, and Thea Winters as Portia. Julius Caesar is to open Friday, Feb. 16 and will be played for three consecutive nights.

Carmel Students Get 21 Places on Honor List

Carmel students received a fine scholastic rating at the Monterey Union High School during the second school quarter, placing a total of 21 students on the high school honor roll.

Beverly Douglas of Carmel heads the list of honor roll students and Pete Steffens of Carmel tied for second place. Carmel representation makes up 40 per cent of the honor roll.

Following is a list of Carmel honor students: Beverly Douglas, Pete Steffens, Gordon Ewig, Max Hagemeyer, Patty Ann Ryland, Andrew Shepard, Arthur Strasburger, Lottie Bayer, Elise Beaton, Rose Funchess, Dorothy Haasis, Suzanne McGraw, Constance Potter, James Welsh, Mavis Carter, Eleanor Johnston, Zaida Martin, June Petty, Laurel Bixler, Babette DeMoe, Alice Vidroni.

PITCHFORK, NO HAY, \$50
Charged with having a pitchfork near a stream in violation of the fish and game code, William T. Machado and William White, Carmel residents, were fined \$50 each by Justice of the Peace Ray Baugh in Monterey last Friday. Pitchforking steelhead out of the Carmel River used to be a highly efficient method used by ranchers for filling up their salt-fish bins each year.

FROM A WINDOW IN

VAGABOND'S HOUSE... By Don Blanding

Some time ago when I was working on the new designs for Vernon Pottery people there was a visitor, a charming elderly woman, who stopped by to chat for a while. She watched me draw hundreds of delicate petals in the intricate pattern that I was developing. She sighed, "It must be wonderful to create beauty. How you must enjoy it."

"It is fun," I replied. "Don't you enjoy the beauty you create?"

She looked puzzled. "Oh, I'm not an artist. I couldn't draw a straight line if I had a ruler. But I wish that I could."

I told her very sincerely, "Oh, yes, you are... a very great artist. You create beauty by the graciousness of your living. It may not be as tangible as porcelain, carved wood or paintings, but by your friendliness, the generosity of your hospitality in your home, the thousand thoughtful things that you do for people you are creating beauty which is just as valuable as any masterpiece of the great artists."

She looked thoughtful. "I never

Registration Now Under Way For City Elections

Voters of Carmel are urged to register for the April 9 city elections. Registration for this election closes on Feb. 29.

Filing of applications for elective offices of city councilman, city clerk and city treasurer will close March 9 at 12 noon. Candidates' blanks are now available at the office of the city clerk, but must not be circulated for signature before February 9.

Each application must bear no less than five signatures of qualified voters, nor more than ten such signatures. Voters are warned that they must not sign more than one application for each office, but that, because there are two long-term and two short-term council seats to be filled, they may sign two of each such applications—two for short and two for long-term candidates.

Although he refused to commit himself, pre-election rumors mention W. K. Bassett to run again as council candidate, having declared months ago that he would be a candidate and having taken out an application blank this week. The business area is active in soliciting a candidate as the one most favored merchant was found not to be a resident within the city limits. A candidate must reside within the city for a full year before becoming a candidate.

Only Herbert Heron of the whole city council has two years of his term left. Everett Smith and Miss Clara Kellogg are completing four-year terms, while Bernard Rowntree and Miss Hazel Watrous were appointees of the council to fill the vacancies left by resignations during their terms of Gordon Campbell and Frederick R. Bechdolt. Campbell resigned to become U. S. marshal at Shanghai and Bechdolt resigned in objection to a reduction in the police budget.

TIDE TABLES

First high tide today is at 5:33 a. m. with a height of 5.1 feet, and low tide at 12:53 p. m. at 0.1 feet, with the following high tide at 7:24 p. m., 3.6 feet.

KILLED IN AIR CRASH

A sad bit of news was received this week by Phil Nesbitt to the effect that the Hon. Drago Montague, his brother-in-law, was recently killed in an airplane crash in England.

Beach Site For \$3,750

This site, on the Point, and on beach, has 45 foot frontage, a rear width of 60 feet, and average depth of about 125 feet.

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Fresh, young

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Extra fancy, Imperial Valley

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Fancy; red or white

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Extra fancy Imperial; vine-ripened; fine flavor

LEMONS doz. 10c

Santa Barbara; juicy

GRAPEFRUIT 10 for 25c

Coachella Valley; sweet, juicy; thin skin

TABLE ORANGES doz. 20c

Full box \$1.65

Large, sweet

AVOCADOS each 6c

Fancy, ripe; thin skin

CABBAGE—large, solid each 8c

YAMS—fancy, red lb. 5c

RUSSETT POTATOES. 10 lbs. 14c

25 lbs. 30c

Fine cookers

PIPPIN APPLES 9 lbs. 25c

Fancy, Golden

LETTUCE each 5c

Extra fancy, large Imperial

TANGARINES doz. 15c

Large, sweet

ONION SETS lb. 6c

For planting; white or brown

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READ THE WANT ADS

Ah, Tahiti! Knapp's Film Bridges 3500-Mile Gap

Papeete, like Carmel, has too many houses. This would appear to be a truism likely to be popular with white residents of Tahiti, the kind of people who would like an unconventional place like Tahiti, or, for that matter, Carmel.

Such thoughts naturally sprang up through the haze of enjoyment of those who attended Herbert E. Knapp's travel picture of Tahiti. In color and with incidental music, this was a marvel of its kind and the speedy dialogue which never bored nor was too obvious, even for a Carmel audience, was enthusiastically received.

When, at the end of the showing, questions were invited from the floor, there was no one who had anything to ask. Spell-bound, almost every question that might have been asked was already answered. In fact an amazing amount of latitude was covered by Knapp in his radio-station technique of handling such a presentation, a model for others who would make travel films, whether amateur or professional.

Two portions of the film stood out: The native ceremonial dances and the underwater scenes. The first was dramatic and brought to life all those things we've read about the South Seas dance in Frederick O'Brien and Jack London and even in our own Gallatin Powers! And the underwater scenes gave us back that glimpse we first got in a John O'Shea painting at the Carmel Art Gallery.

WHERE TO STAY . . .

PINE INN

Phone 600

Rates:	
European: Single	\$3 to \$5
Double	\$3.50 to \$6
American: Single	\$4 to \$6
Double	\$6 to \$11

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MAE B. CRAWFORD - PEARL M. RIDGLEY
Ocean Avenue

Telephone 161

Joe Scott Speaker
for Lincoln Day
Republican Dinner

The second annual Republican Lincoln Day dinner, sponsored by Republican organizations of the Eighth Congressional district, will serve as a "kick-off" for 1940 Republican plans. The dinner will be held at the Scottish Rite Temple banquet hall, Third and St. James streets in San Jose, 7 o'clock Monday night, Feb. 12.

A national Republican figure, Joe Scott of Los Angeles will be the speaker of the evening. Reservations may be made by writing Wayne Hutchins, 323 Senter Road, San Jose.

Playhouse Bills This Man's News' for Four Days

The best British picture of the year, "This Man Is News", will open Wednesday for a four-day run. The picture was a sensation on the continent and will be shown exclusively at the Playhouse, formerly the Filmarte. Barry K. Barnes and Valerie Hobson have the leads in "This Man Is News" which was hailed by the British press as the "British Thin Man." It is a laugh-punctuated action picture.

Alastair Sims, a celebrated Scotch comedian, plays the part of the editor and the action begins when he warns Barry K. Barnes to bring in a front-page story or lose his job. Barnes gives Fleet street the surprise of the century by "making" the news and reporting it in a series of exclusive stories.

The magic of Jascha Heifetz's violin is more winning than any human voice, especially when it sings the poignant story of a boy, a girl and a dog—of children with dirty faces and hungry hearts in "They Shall Have Music" at the Playhouse tonight and Saturday with a matinee Saturday at 2:30.

Opening with a matinee on Sunday, "Lady by Choice", with May Robson and Carol Lombard, will play for three days. The picture, brought to the Playhouse by numerous requests, is the story of a woman who strongly enough, is "forced" to marry the man she loves. Interesting shorts on the program will include "Travel in India", snapshots, a cartoon and news.

"THE RIVER" FILM COMING

The great American documentary film "The River" is promised as an unusual attraction for the Carmel Forum to be shown on Tuesday, March 5. O. L. Eckman will bring the film which he will discuss.

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Disney Creations In Exhibition at Carmel Gallery

Walt Disney is coming to town through the medium of his creations, the animated pictures which are the basic art for the finished Disney motion pictures which are so well loved by old and young alike.

From tomorrow until Feb. 17 a selling exhibition of the work of the artists of the Walt Disney Studios will be held at the Carmel Art Gallery under the sponsorship of Kit Whitman of the Carmel Art Institute.

Previously only in the metropolitan centers had this art been exhibited, but in a new departure the Disney interests are exhibiting in the smaller communities like La Jolla, Santa Cruz, and Carmel. The recent exhibit in Santa Cruz proved a distinct success, it is reported.

The world premiere of "Pinocchio" takes place at Palm Beach, Florida, Feb. 29, and it is hoped to bring some of the originals for this picture for exhibition in March.

How the original animated drawings are made up is of interest to all who have seen the films. The "persons" are drawn on celluloid, and these figures are placed against backgrounds which are much like two dimensional stage sets. The whole, however, gives the three-dimensional idea. The sets are frequently made up with paper-thin strips of wood of various kinds, giving actual grain to the boards and boxes of the film.

SANITARY SUIT CONTINUED

The suit against assessments of the Carmel sanitary board was continued on Monday to Monday, Feb. 12, in superior court at Salinas.

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Joe Victorine, Sr., Link With Shore Whaling Era

The father of Joe Victorine, Jr., well known to Carmelites, and brother of Mrs. Anna Hotchcock, long a resident of Carmel, the late Joe Victorine, who died recently at the age of 76, was a link with a past era of California life.

He owned and operated the Victorine ranch just south of Carmel Highlands until 1923 and spent the last years of his life in his home in Seaside.

Victorine came here from Fayal, the Azores, with his mother to join Antonio Victorine, his father, on the ranch near the mouth of San Jose creek. They crossed the Isthmus of Panama by rail, took a second ship to San Francisco and reached Monterey from there in a still smaller sailing vessel.

Antonio Victorine had preceded his wife and small child, coming in a whaling ship in the '60s to become one of the "shore whalers" who maintained a station in the little cove on the north side of Point Lobos. From here the whalers would go out in a small pulling boat whenever a suitable whale was sighted from Whaler's Knoll and would tackle him outside Carmel Bay, frequently towing the carcass to Monterey for beaching. It was an exciting and devil-may-care period which long ago passed into the annals of California history.

From the little San Jose creek ranch, the Victorine family moved to the large ranch now known as the Victorine ranch. A sale of part of this property was made during boom times to a real estate promoter and became known as San Remo. Here members of the family still reside.

Among the immediate family of the late Mr. Victorine are his wife, Mrs. Louisa Correia Victorine; his three sons, Joe, J. Avelino and Ernest, of Monterey; two daughters,

Mrs. Lillian Ferreira of San Martin and Mrs. Angelus Harlan of Aromas, and 13 grandchildren.

"Streets of New York" Melodrama In Revival at Old First Theater

A sparkling cast has lined up by Billy Shepard for the revival of "The Streets of New York" at the First Theater, Monterey, March 15, 16 and 17, by the Troupers of the Gold Coast.

A meaty play of the panic periods between 1837 and 1857, "The Streets of New York" is coeval with many other popular plays since revived, such as "Uncle Tom's Cabin".

Included in the cast are Shepard, who plays the part of a sea captain; George Smith, Jack Lancaster, Mollie Darling, Wilma Bott, Jessie Joan Brown, Bill Darling, Franklin Dixon, Milton Latham, Betty Bryant, Eddie George and Spud Gray. Gray will also be master of ceremonies.

Christian Science

"Love" will be the subject of the Lesson-Sermon Sunday, Feb. 4, in all Churches of Christ, Scientist, branches of The Mother Church, The First Church of Christ, Scientist, in Boston, Mass.

The Golden Text will be: "The love of God is shed abroad in our hearts by the Holy Ghost which is given unto us" (Romans 5: 5). Other Bible citations will include: "The Lord hath appeared of old unto me, saying, Yea, I have loved thee with an everlasting love: therefore with lovingkindness have I drawn thee. . . . And they shall all know me, from the least of them unto the greatest of them, saith the Lord: for I will forgive their iniquity, and I will remember their sin no more" (Jer. 31: 3, 34).

The Lesson-Sermon will also include the following passage from the Christian Science textbook, "Science and Health with Key to the Scriptures" by Mary Baker Eddy: "God is Love. Can we ask Him to be more? God is intelligence. Can we inform the infinite Mind of anything He does not already comprehend? Do we expect to change perfection? Shall we plead for more at the open fount, which is pouring forth more than we accept?" (p. 2).

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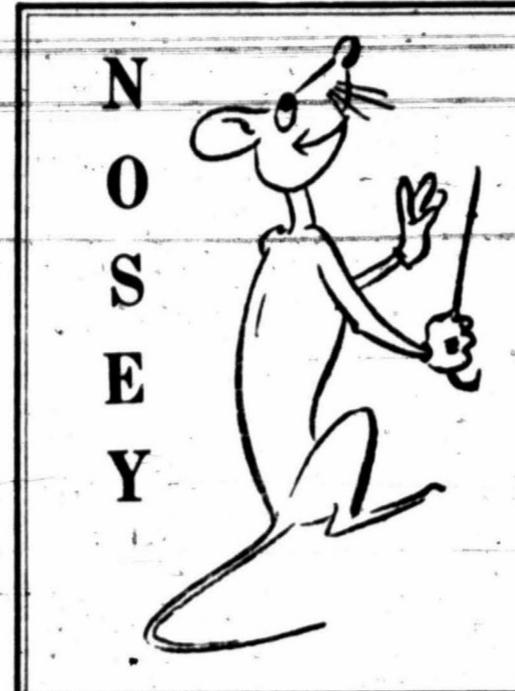
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* * *
This idea of giving dictatorial powers to the President in case of war sounds like old-fashioned Latin-American politics.

Then, if Roosevelt wanted a third term and the Republicans were sweeping the country, all he'd have to do would be to declare war on Liberia.

Then he could stay in power as long as he liked and it probably wouldn't bother Liberia very much.

Yet somebody in Washington gets ideas like that.

If it were summer along the Potomac, one would understand it, heat, humidity and all.

* * *
Hooray for Mr. Tidd, who runs a paying utility business without the frills and red ink, said a mouthful!

* * *
When we begin to talk to each other and our customers of our great love for the dear public . . . we are dangerously close to maudlin sentimentality . . . plain, unmitigated bunk." —T. F.

G. O. P. DINNER, FEB. 12

Joe Scott, who will address Republicans of the Eighth Congressional District at a Lincoln Day dinner in San Jose, Feb. 12, received the Laetare Medal from Notre Dame University in 1918 for conspicuous work

in his nation-wide fight against the Ku Klux Klan and kindred organizations. The dinner will open 1940 Republican activities and will be held in the Scottish Rite Temple banquet hall, Third and St. James streets.

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Rubinstein Magnificent in San Francisco Concert

By LEON WILSON

At the War Memorial Opera House in San Francisco recently, Artur Rubinstein played the program which he will present tomorrow night at 8:30 under the sponsorship of the Carmel Music Society in the Sunset auditorium.

With the very first note this astounding performer had his audience to a man and never once did it get away from him. For upwards of two hours he turned out music of thrilling and memorable beauty, earning an ovation the like of which is as infrequent as a man of his consummate artistry.

Rubinstein's command of the piano and of music is—not to mince words—awesome. So complete is this authority that for the hearer difficulties or simplicities do not exist. The man's technical ability is prodigious, of course, but you don't hear that. You hear the music. Even in so obviously a technical achievement as the Scriabin nocturne for the left hand alone (his initial encore) it was the music itself that was miraculous, not the fewness of the fingers which produced it. Just before the close of this little piece there is a string of modulations easier to play than rolling off a log. Rubinstein's delivery here was one of the high spots of the evening. Quite literally he had the audience hanging on the edge of its chairs.

The fact is Rubinstein's playing so very much is the music you cannot readily decide where one leaves

off and the other begins. The man is that ideal and enviable artist who for the moment is not only the performer but as well the composer. His rendering of the colossal Bach-Busoni C major toccata had, in addition to a profound understanding of the whole and all its parts, the breath-taking effect of spontaneous improvisation—a quality again evident in the monumental "Prelude, Choral, and Fugue" of Cesar Franck.

The variety of tonal color in the Bach toccata, alone, was astonishing. The melody of the central adagio was practically speech, and speech of rare and compelling eloquence—marvelous contrast to the sumptuous convolutions of the prelude and the brilliant trumpetings of the concluding fugue. Again in the Debussy "Ondine", one of the most compressed and vivid of that composer's piano preludes, there was an extraordinary gamut of color and expression.

The "Petrouchka" suite which ended the first part of the program is to all intents and purposes nothing less than the entire orchestral score of the ballet tailored by its composer, Igor Stravinsky, for the especial wear of Mr. Rubinstein. Recognition is made, but barely, that Mr. Rubinstein is not a stageful of busy instrumentalists, the same resulting in a quarter of an hour that is as electrifying as it is impressive.

The Chopin items which brought the program to a close were not only admirable in themselves but in their contrasts with one another. The flickering figures of the C sharp scherzo, the exquisitely tooled line of the "Berceuse", the delicious lilt of the D major mazurka (which repeated in less forbidding surroundings than the Opera House might conceivably have had people dancing in the aisles), and the tumult and clangor of the A flat polonaise—all these were one by one triumphantly displayed, Mr. Rubinstein garnering further laurels by not "interpreting" his countryman but rather setting forth with true insight the intrinsic music.

Encores followed—a Chopin nocturne, the "Navarra" of Albeniz, and that inescapable perennial Manuel de Falla's "Ritual Fire Dance". The same extraordinary vitality manifest at the beginning of the program was present to the end. As far as the audience was concerned Mr. Rubinstein would be playing yet, but at length the stage lights were extinguished and a little later two men in overalls wheeled away the piano.

TO SHOW TRAVEL FILM OF VISIT TO MEXICO

Miss Alice Seckles, who is the agent for Mrs. Lorita Baker Valley and Mrs. Mary Cook Coward and others, is coming to the peninsula on Feb. 9 with her partner, Miss Cross, and Miss Florence Dean.

The following evening, Saturday, Feb. 10, Miss Cross will show the pictures which she took recently in Mexico and Miss Dean will deliver an accompanying talk. This is all to be in the club room of Pine Inn and dinner will also be served that evening at the hotel in connection with the affair.

How to be Hospitable to Visiting Army Officers!

When a hard-bitten drill sergeant stops you on Ocean Avenue and asks where he can rent a sewing machine, just say "At Stella's down on the corner of Dolores."

Or if a man in uniform should ask you where he can buy some nice oil cloth, you, knowing that he is a mess orderly looking for something to brighten up the kitchen, must answer promptly, "Stella's, at Ocean and Dolores."

The stern, white-moustached gentleman who puffs out his cheeks and asks severely where he may purchase some window shades, is probably a general. Answer him respectfully, "At Stella's you can get the finest window shades."

It is the young lieutenant who will ask you, blushing as he does, where he can look at some material for curtains. Tell him, speaking softly, that Stella has curtains and draperies, and that he can have them made there, too, saving a lot of hard work.

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The Arts

ART. A little more than 15 years ago occurred the death of George Bellows, who was only 42. Although he reached great heights in his painting, he was "a painter who was always learning, always ripening, always improving." Today his fame is greater than at any time, and the name of George Bellows is as alive today as when his untimely death cut short a career that still had untold promise.

DANCE. About as close as Carmel will get to the Ballet Russe de Monte Carlo this year will be San Jose, where this group of 125 including 65 dancers and a symphony orchestra, will appear on Monday, Feb. 5.

The ballet is sponsored by the Denny-Watrous management, Carmel's able team, at the San Jose civic auditorium.

A note out of the American Ballet Caravan seems the number "Ghost Town" which is a new one with the Ballet Russe this year. It depicts a roaring mining town of the Comstock Lode around 1880. Ralston Comstock, Jenny Lind, miners, hikers, vigilantes, dance hall girls, a Mormon and his five wives are among the characters.

MUSIC. Marian Anderson will appear again in San Jose under the Denny-Watrous management at the civic auditorium on Feb. 29. The Negro star sang to an enthusiastic audience there last year and this reappearance promises to be an enthusiastically received.

The Denny-Watrous management also announces "Madame Butterfly" on March 4 to be done by the San Carlo opera company with Koyke.

As Our Jo Sees It from Hatton Fields

I been reading where the Native Sons out there on the Pacific, they are kind of in a quandary. They got a problem on their hands. Too many visitors.

The sunshine, and oranges, and the one-piece bathing suits, they are bringing in the tourists. But instead of visitors with cash in their jeans, they are getting the New Era travelers. They are swarming all over the place. And they are overstaying their welcome—like a poor relation.

A New Era traveler, he is the new kind resulting from experimenting down there on the Skylarking Potomac.

They invented a new kind of farm down there—a marginal farm. It was one where it was hard to make a living thereon.

But so far as I can find out, making a living any place, it is no one-afternoon job—if you are a farmer, or a barber, or a tailor. But anyway, the experiment on marginal farms got under way, and any farmer with a kind of roving nature and none too fond of perspiration, he got a tank of gas, and lit out.

He is now a marginal rover—and a new kind of problem, in Sunny California.

Yours, with the low down,

—JO SERRA.

Espee Proposes Trial of Lower Rates for Service to Peninsula

Rail fares between the Monterey Peninsula and the bay district will get a trial on a lower schedule, according to the proposal of the Southern Pacific Company, which has petitioned the State Railroad Commission for permission to institute the following lower rates:

Monterey-San Francisco, Oakland or Berkeley, \$1.85 one way, \$3.35 up and back; Monterey-San Jose, \$1.15 one way, \$2.10 up and back.

PEOPLE

TALKED ABOUT

Frederick Preston Search, who is rarely seen in Carmel these days and then only briefly as he stops at his house on Casanova and Thirteenth on his way to his ranch at the head of Carmel Valley, is gaining outstanding notice with his choral rhapsody, "The Bridge Builders".

Search is a cellist and conductor as well as composer. During the war he brought down the Mare Island Navy Band which at that time included a tall but not then very beefy, or famous, gentleman by the name of Paul Whiteman. They played one afternoon in a recital at the Forest Theater.

Today Search is still devoted to his muse and his "Bridge Builders" is the result of his latest efforts.

Alexander Fried in the San Francisco Examiner commented most favorably on the premiere of "The Bridge Builders" in a recent federal concert at the Alcazar Theater with Search conducting. "His work held the admiration of its audience for 45 minutes", Fried wrote.

"Workers tragic and gay, St. Francis, a scholarly engineer are characters of Search's Cantata, and his lyric spirit is upraised by voices of the waters and the time spirit and the bridge itself.

"Such a theme could easily lead a composer into pomposity. But Search's music is never falsely pretentious even when, at time, it lapses toward conventionality.

"His feeling is peculiarly genuine. He sings from the heart and makes a plain appeal to the heart. . . In creative style, Search is a romantic, not a modern. The 19th Century has taught him, besides sentiment, a colorful and fluent sense of musical texture. Yet from modernist idiom he has been resourceful enough to learn healthy freedom of solo and harmonic writing."

Search is also conductor of the Federal Symphonic Band which gives traditionally San Franciscan concerts on Union Square, a subject now treated in a new book published by Appleton Century Company, "I Travel by Train", by Rollo Walter Brown.

Well-known in Carmel, Ky Miyamoto, who during school days, was an outstanding athletic performer and since has been a leader in Japanese American sports, has gained a signal honor.

Miyamoto, son of Mr. and Mrs. Kumahiko Miyamoto, who have operated the truck gardens near Carmel Mission for years, is listed on the all-time Japanese-American honorary basketball team selected by a San Francisco Nipponese newspaper.

Ky and Archie, the two older Miyamoto boys, have been kingpins of the Monterey Minato basketball teams and other members of the family promise to follow in their footsteps.

In high school, Ky starred in football, track, baseball and basketball and later went to Japan with an all-star amateur baseball team. A team mate, Kaz Oka, of Monterey, also gained honorable mention.

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* * *
FRANCIS L. LLOYD,
Associate Editor

The Carmel Pine Cone

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FEBRUARY, 1915

Twenty-five years ago tomorrow the first issue of the Carmel Pine Cone was published. At the same time, the German Empire was beginning a submarine blockade of Great Britain. Today The Pine Cone celebrates its twenty-fifth birthday, and Germany is blockading with submarines the ports of Great Britain.

For a quarter of a century, each Friday morning, there has regularly appeared in the post office boxes of the people of Carmel copies of The Pine Cone. In those twenty-five long years things of great moment have happened in the world. Old values have disappeared. Old idols have been smashed. Old standards have been lowered.

But you won't find these world-shaking changes reported in The Pine Cone. The pages of this journal through the years have been filled with the doings of Carmel and of Carmel people. Casually, gently, The Pine Cone has changed little with the passing of time.

There is in that, perhaps, an admission of a responsibility overlooked, of a duty unfulfilled, a task shirked. But it has been a pleasant life. It has been a full life. There have been other publications to fight the stern, embittered battle. The Pine Cone has been content to fill its little niche.

And in a world that has learned little, that finds against the leading nations of Europe locked in mortal combat, perhaps there has been a need for the things that The Pine Cone has meant to Carmel. You have been mad at The Pine Cone. You have railed at it for its slow and ancient ways, for its failure to keep abreast of the times. Maybe you have continued to support it because it is one of the few things which represents a fast-disappearing past which you are anxious to retain.

And at twenty-five, The Pine Cone may have some excuse for the way it waddles as it ambles down toward the next milestone. The old lady isn't as slim and graceful as she was. But she's a good cook and she's not out playing bridge and drinking cocktails 'til all hours of the night.

THE STOP SIGNS ARE IN

Last week's editorial regarding the long delay in placing the stop signs on Mission street at Eighth was intended merely as an exposition of the amount of red tape that can involve such a simple thing as placing two signs at an intersection, and did not intend to blame or "ride" anyone.

Today the signs are in place and all is well. What could be done to warn drivers and help prevent preventable accidents to school children who have to cross there, has been done.

HIGH SCHOOL MEETING

Every parent, citizen and taxpayer in Carmel should be interested in this evening's meeting on the proposed Carmel high school to be held at 8 o'clock in the Sunset library. This will be an opportunity to get details at first hand and to ask questions. The board is also anxious to sound out public opinion at this time.

POETRY CONTEST

The editors of The Pine Cone's poetry column are awarding a prize of \$25 for the best poem to be printed in The Pine Cone before May 1, 1940. Poems must not exceed 20 lines in length; no manuscripts will be returned; there is no limit to the number of poems which may be submitted. No previously published works may be entered in the contest.

TEXTURE OF BEAUTY

*Hands that serve are not like wings
Mounting higher and higher
Into blue quietness above
(I must tend my fire).*

*Garden-wise I take my toll
Of all the garden grows;
(Raspberries are pink and cool
As the kitten's nose!)*

*Peas are greenly beautiful
Shelled within the shade
(But I remember Chinese shops,
Strings of polished jade).*

*Linen must be pearly-sheened
Against a family's need;
(Hands that serve are not like wings
But rich and full their need.)*

—JEAN CROSSE HANSEN.

DIOSMA

(Breath of Heaven)

*Revealed by misty graying light,
Two softly searching arms gleamed white,
And drew me gently down to rest
Upon Diosma's fragrant breast.*

*She held me to her throbbing heart
Till every star point shone apart;
And loosed, the pent up grief of years
Burst from my heart in healing tears.*

—JESSIE MAY HOOKER.

I KNOW

*I have been married, and I know
Just how a marriage ought to go.*

*The lad I wedded was tall and fine,
With eyes like October, and words like wine.
His heart was a cradle when I was sad,
His song was a triumph when I was glad.
If I asked for the moon, he brought it down,
If I wanted a fool, he played the clown.
He was wise and tender, and taught me, too,
The little I know from the much he knew.
His lands were wide, and his horses fleet,
And a whisper ran when he walked the street.
His step was free, and his heart was high,
And he loved the Gods that money can buy.
And I shall be glad to my last, last day,
It was death and not life that took him away.*

*I have been married, and I know
Just how a marriage ought to go!*

—From "Poems" by MARY PAULINE WRIGHT.

FATE

*If Fate hands me her hemlock cup
Instead of seething wine,
I'll not reject the bitter draught
But quietly I'll drink it up;
For underneath the dagger drops
May lurk some sweet content,
And I must drink the bitter first
To find this element.*

—ORIAN DE PLEDGE.

A SUGGESTION

From William Overstreet, a thoughtful man who 25 years ago today founded the Carmel Pine Cone, comes a suggestion on this anniversary.

Asks Mr. Overstreet, who devotes himself to studying California history, asks, "Why do not Californians pay more attention to their history?"

He points out that few, even of the native Californians, today know or take an interest in the history of their state. It is excusable that the thousands of newcomers who have made their homes in California since 1920 should know comparatively little of our State's history, but it is a sad fact that few of the older and native residents should know so little.

It is not because nothing has been written, because California history has been the subject of repeated writing, and has been a backlog for most chamber of commerce publicity about this State. Perhaps it is partly because one aspect to the virtual exclusion of all others has dominated the history of California as presented to the average citizen of the State.

We know about the Padres and the Missions in a vague sort of way, and that is about all. Most of us know that there were Indians here, just as elsewhere in the United States, but few know anything about these Indians. The same applies down the line.

Perhaps some writer will come along to put California history in an easily digestible form. Stewart Edward White has written books based on California's colorful past and so has Gertrude Atherton. Both have covered the field fairly completely and their books are recommended reading—in case you are interested.

Mr. Overstreet is himself active in contributing to the knowledge of California's past and writes articles from time to time on subjects he has dug up and subjected to exhaustive research.

FROM THE PINE CONE FILES

Twenty-five years ago—On Feb. 3, 1915, William Overstreet printed the first issue of the Carmel Pine Cone from hand-set type on a small job press. Mr. Overstreet at this time announced: "We have come to stay . . . The foundation for the establishment of this weekly publication is a profound confidence in the future prosperity of our beloved Carmel-by-the-Sea."

Twenty years ago—Mayor James Rolph of San Francisco has just purchased nine acres of Pebble Beach property.

Fifteen years ago—Pine trees in Carmel are being inspected and marked with white rings in the case of those showing presence of beetles in an effort to rout out these insect pests . . . An exploding stove was blamed for a fire in the Paul Flanders home in Pebble Beach. Jack Holt and a motion picture crew on location helped fight the blaze.

Ten years ago—The big cut on the Carmel-Monterey highway is to be planted with trees and shrubs . . . Work is starting on the Boy Scout house on a lot which was given anonymously . . . The suggestion to form a city planning commission is a lively point these days.

Five years ago—Pros and cons of an election to decide whether to build a city hall were threshed out at a mass meeting . . . Dale Leidig rescued Frear Gottfried, dangerously hurt, from a car wreck in Robinson Canyon . . . Harry Lafler, long associated with the San Francisco Bohemian groups and coast real estate development, died in a car accident south of San Jose. He was once editor of the Argonaut and homesteaded a quarter section near Big Sur.

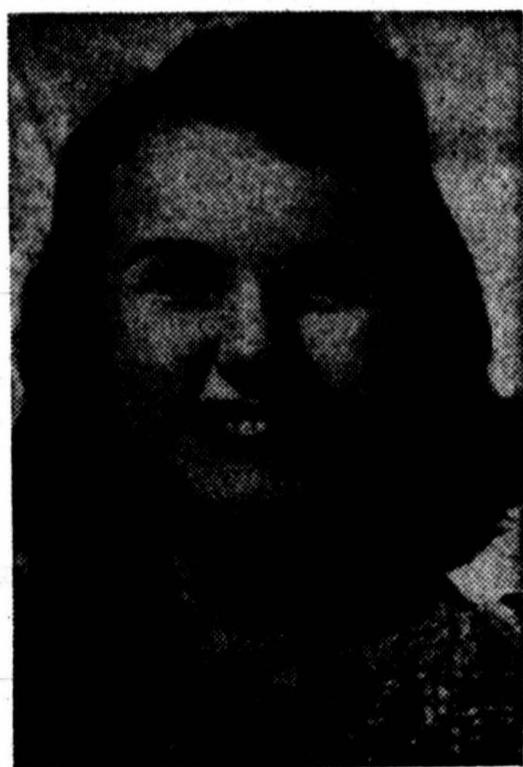
Friday, February 2, 1940

Pine Needles

By MARJORIE LLOYD

Social Editor · Telephones: Carmel 2 or 1473

Two hundred guests drank to the health and happiness of Miss Theodore Ellen Gross and Robert Durand Edgren on Saturday evening when Edward W. Gross announced the engagement of his daughter at a party at the Monterey Peninsula Country Club. Assisting Mr. Gross and "Teedie" and "Bob" in receiving the guests was Mrs. Robert W. Edgren. Both the lounge and dining room were used on this occasion with a bar placed between them and a buffet supper table decorated with spring flowers stood at the far end of the dining room. An orchestra played for dancing. The bride-to-be grew up on the Monterey Peninsula, graduated from the Notre Dame Convent in Belmont and is a member of the Monterey Peninsula Country Club, the Mission Ranch Club and the Western Women's Club in San Francisco. Her fiance is the son of the late Robert W. Edgren and of Mrs. Edgren. He attended the Horace Mann school in New York City, high school in Los Angeles and Stanford University, where he was graduated in 1929. Since then he has traveled extensively both in the old world and the new and has been associated with his father in the production of the "Miracles of Sport" cartoons, radio programs and screen shorts. He is now on the staff of "The Ring", a boxing publication, as a contributor, also of "Sport Eye", and does a sport



Deanna Durbin, youthful star who enters a new dramatic role in "First Love", which plays at the Carmel Theater Sunday to Tuesday.

feature for the Bell Syndicate which is released each Saturday. He is interested in painting and has studied at the Carmel Art Institute under Armin Hansen and is a member of the Carmel Art Association where he has shown his pictures. The couple plans to be married in March. Carmel people present to congratulate them on Saturday evening were Mr. and Mrs. Ralph Marron, Mr. and Mrs. Mark Keller, Mr. and Mrs. Colden Whitman, Mr. and Mrs. L. L. Dewar, Mr. and Mrs. Louis Vidoroni, Mr. and Mrs. J. E. Abernethy, Mr. and Mrs. C. J. Ryland, Mr. and Mrs. Fred Godwin, Mr. and Mrs. George Vye, Mr. and Mrs. Peter Elliott, Mr. and Mrs. Thomas A. Work, Jr., Mr. and Mrs. John Thompson, Dr. and Mrs. John Gratiot, Dr. and Mrs. Horace Dormody, Major and Mrs. W. H. Landers, Captain and Mrs. Sholburn Robison, Mrs. Ivy Van Cott, Miss Cecile Hampton, Miss Marjorie Lee Davis, Eric Coster, Bill Bryant and Winsor Josselyn.

Mrs. Charlotte E. Morgan has returned to her studio on Lincoln street from a month's holiday in Sonoma county and Berkeley. Before coming back to Carmel she spent some time visiting the two exhibitions of "Seven Centuries of Painting" in San Francisco.

Miss Liesel Wurzmann has bought part of Ella's Southern Kitchen and will put it on rollers and move it to a lot which she owns at First and Vista when it will be remodeled into a four-room house.

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Eileen McEldowney invited a large group of her friends to a dancing party on Friday evening in the June Delight studio on Mission street. Because it was her fifteenth birthday, she had to draw a big breath in order to blow out all the candles on her cake which was later served with punch to the guests. Assisting Eileen in receiving her friends were her mother, Mrs. Joseph McEldowney and her older sister, Mrs. John Amiel. Those invited were Peggy Gargiulo, Margery Street, Carol Canoles, Rose Funchess, Wileen Jones, Avelline Quinn, Doris Evans, Martina Tait, Beverly Douglas, Phoebe Merchant, Frances Passailaque, Meta Gossler, Henrietta Erickson, Erickson, Yvonne Welsh, Margaret Wishart, Cornelia Shuman, Lila Whitaker, Frances Walters, Dorothy Howes, Mary Jane Fitzsimmons, Clara Walls, Will Wilson of Salinas, Kent Whitcomb, John Wood, Dewitt Appleton, Jr., Jimmy Kelsey, Ernest Cosky, Charles and Bob Gansel, Vincent Torras, Donald Staniford, Kenneth Jones, Don Haskins, Jack Pelton, Bill Christerson, Dean Michaels, Bill Pain, Harold Albright and Joseph McEldowney, Jr.

* * *
A three-tiered wedding cake in a wreath of American Beauty roses served to remind those present that the guests of honor, Mr. and Mrs. Don McFadden, were newlyweds at the cocktail party given for them on Thursday afternoon of last week by Mr. and Mrs. George Marion. Mr. Marion was a friend and stage associate of both the bride's uncle and aunt, George Fawcett and his wife, Percy Haswell. Mrs. McFadden is also a fellow member with Mr. Marion in the Hollywood Domino Club. Guests at the party were Mr. and Mrs. Guy Koepf, Mr. and Mrs. John Montgomery, Mr. and Mrs. E. H. Ewig, Mr. and Mrs. Willard McRaw, Mr. and Mrs. Clay Otto, Dr. and Mrs. Joseph McCarthy, Mr. and Mrs. J. E. Abernethy, Mr. and Mrs. Richard Masten, Mr. and Mrs. Al Sparks, Dr. and Mrs. J. L. Hughes, Mr. and Mrs. Milton Latham, Mr. and Mrs. Harry Durfree, Mr. and Mrs. John Wilhoit, Miss Grace Terry, Mrs. Mary Helen Hall, Miss Jeanette McFadden, Mrs. Martha Newcome, Mrs. Myrtle McLean, Samuel G. Blythe, Frederic Burt, Charles Berkey, Clarence Steinmetz, Bert Spencer and Major Albert Geringer.

* * *
On Wednesday morning of last week Miss Dorothy Dulfer, daughter of Mr. and Mrs. Alexander Dulfer of San Francisco and Carmel, was married in the chapel of the Presidio of San Francisco to William Adam Howell, Jr., son of William Adam Howell of Bakersfield and Pacific Grove. The bride was given away by her father and attended by her sister, Miss Imelda Dulfer. Paul Dulfer, the bride's brother, was best man for Mr. Howell. The reception following the ceremony was held at the Dulfer home on Vallejo street in San Francisco.

* * *
The ninth grade at Sunset school held a roller skating party on Wednesday evening and beforehand Margery Street had a supper party at her home in Hatton Fields for a group of the girls of the class who were Pat Tarrant, Meta Gossler, Eileen McEldowney, Frances Walters, Juanita Baca, Beverly Leidig, Lila Whitaker, Henrietta Erickson, Betty Bucklen, Yvonne Welsh and Nancy Street.

* * *
Miss Elizabeth McClung White stopped at Paso Robles Hot Springs on her way south last week. She will be away from Carmel for a week or ten days.

* * *
Guest at the Clift Hotel in San Francisco last week was Miss C. Wells of Carmel.

"Helping the Child to Learn Consideration for Others" was the topic discussed last Friday afternoon at the meeting of the mothers of the nursery school group at Forest Hill School with Mrs. Louise Grigsby presiding. Tea was prepared and served by the girls of the upper school following the discussion and the table decorations were made by the nursery school children. Members of this group are Mrs. Peter Burk, Mrs. Cedric Rountree, Mrs. Lennart Palme, Mrs. Raymond Smith, Mrs. Malcolm Dewees, Mrs. Claude Beall, Mrs. Beverly Stover, Mrs. William Luis Hudson, Mrs. James Smith, Mrs. Thomas Bunn, Mrs. C. C. Merivale, Mrs. George Graves and Mrs. Marshall Carter. Mrs. Ralph Castagna and Mrs. Franklin Sowell were guests for the afternoon.

* * *
Conde Kennedy, Walt Disney representative, was in Carmel on Tuesday to bring an exhibit of Disney art which Kit Whitman will show at the Carmel Art Association gallery until Feb. 17.

* * *
John Ward, former resident, was up last week-end from Hollywood, where he now lives.

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Carmel 20

Pine Needles

On Saturday evening at Del Monte it will be fiesta time with el Baile de los Cascarones, the event for happy-hearted Montereyans and their guests from throughout the region. The affair will be in keeping with old tradition and promises to be an evening of good neighborliness in the ancient fashion of Monterey of the huge ranches of colorful Spanish days.

The grand march is set for 9 o'clock with the auction of the golden egg, supposedly laid by the fabled goose, set for 11 o'clock. Judge Ray Baugh will be the auctioneer and the lucky bidder will have the privilege of breaking the shell of the cascarrone del oro over the head of his favorite partner who will thereupon be la Querida del Baile, or sweetheart of the ball. Some grains of real gold may be in the gaudy eggshell, it is reported.

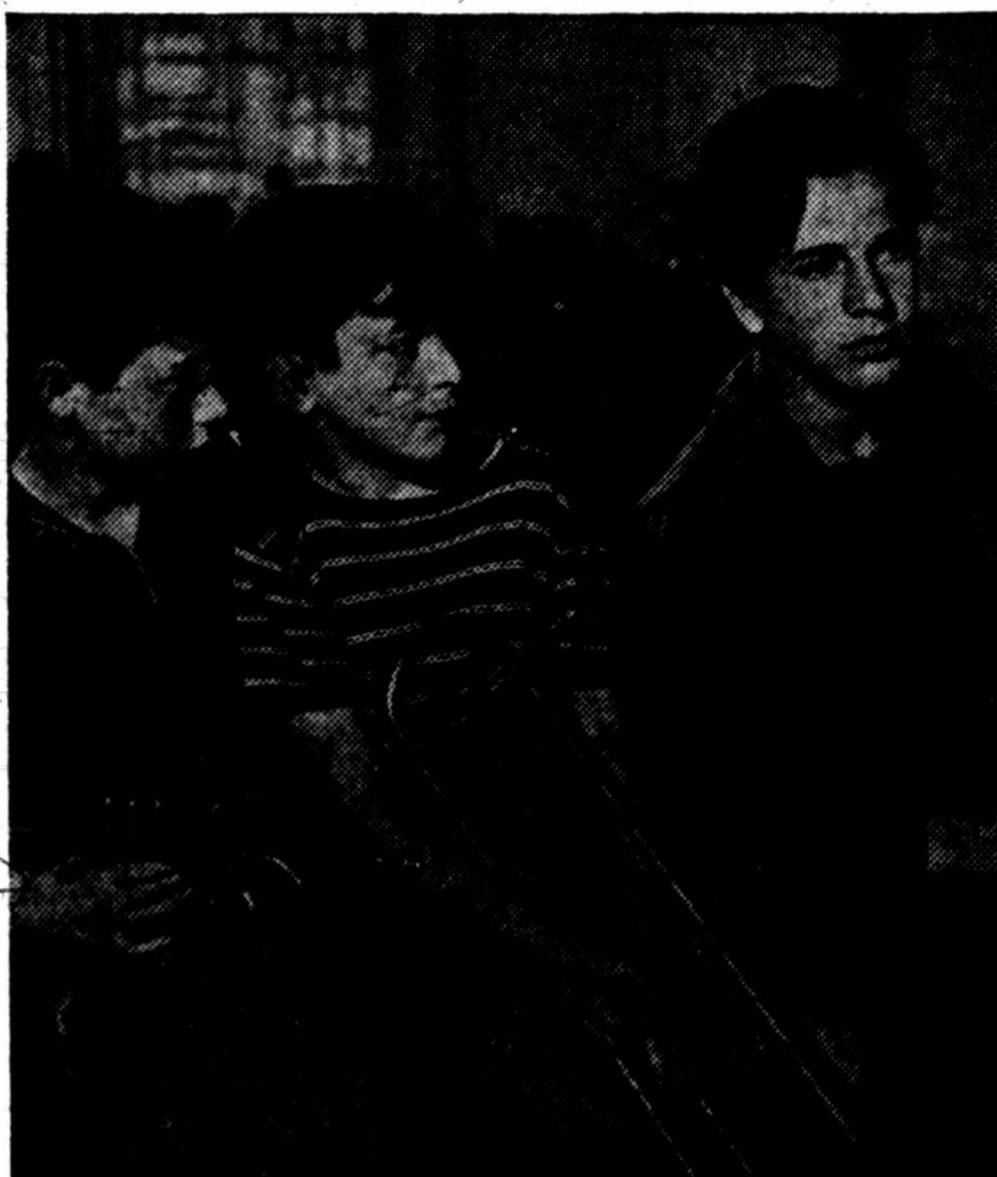
Members of the Carmel Music Association, who will be attending the concert in Carmel of Arthur Rubinstein, famed pianist, will probably stage their own grand ball on arrival at Del Monte—according to whispered plans in this village.

An invitation has been set to Leo Carrillo, famed actor, who is descended from the proud families of old California, to attend, but at the latest word no reply had been received. The invitation was written in "paisano", the lingo of the hillbillys of storied Tortilla Flat.

Spanish-California costumes will be the style, although costume is entirely optional. The Monterey Civic Club is the sponsor. All who attended Monterey's Merienda, will appreciate the spirit in which these old-town affairs are held, it was stated yesterday by the committee in charge.

* * *

Mr. and Mrs. Herbert Cerwin who have been spending the winter in New York City are on their return journey to Carmel by car and will stop in New Orleans and Los Angeles on the way here. They are expected home on St. Valentine's Day.



Two members of the California Junior Symphony Orchestra watch Gene Reynolds as he is first introduced to the marvels of the Lawson Music School in a scene from "They Shall Have Music", starring Jascha Heifetz at the Playhouse tonight and tomorrow.

Mrs. Agnes Haight Reynal of Carmel was married by Judge Ray Baugh on Tuesday noon to Hartland Law II of San Francisco. Witnessing the event were Ward Law, brother of the groom, Louis Conlan, and Nathaniel Reynal, the bride's son. Mrs. Reynal has been making her home in Carmel for several years. Mr. Law is the nephew of Mrs. E. S. Hopkins and the cousin of Samuel Hopkins, both of Carmel.

* * *

Guests of Mr. and Mrs. James O. Greenan this week have been their old friends, Mr. and Mrs. Mark Hubbard of Masbate, Philippine Islands. The Hubbards have been in the United States for two months and leave shortly on the President Coolidge for the islands, where Mr. Hubbard will return to his duties as superintendent of the Capsai gold mines.

* * *

The next social evening of the Musical Art Club at the Van Ess-MacGowan home in the Monterey Peninsula Country Club Tuesday at 8 o'clock, will have for performing guests Betty Rae Sutton, dancer; Herbert Nelson, vocalist, and David Marrs, pianist. Guests who notify Mrs. MacGowan beforehand will be welcome, it is announced.

* * *

Mrs. Mary Cook Coward who gave a recital at Del Monte Hotel on Tuesday evening, and Miss Alice Seckles, Miss Rose Resnick, John Notley Nichols and "Isle", the Seeing-Eye dog, were all guests at Pine Inn on Tuesday night. Mrs. Frank Bell also spent that night at Pine Inn.

* * *

Mr. and Mrs. Paul Winslow are spending two weeks in southern California.

Mr. and Mrs. Stewart McLeland spent last week-end in Carmel. Mr. McLeland is business manager for the Duncan sisters and Mrs. McLeland is a sister of Rosetta and Vivian Evelyn Asther, small daughter of Vivian Duncan and Nils Asther, the film star, accompanied the McLellands to Carmel and was the guest while here of Mr. and Mrs. J. O. Greenan, as were also the Duncan sisters.

* * *

The Carmel Woman's Club will hold a luncheon and February meeting on Monday at Pine Inn. Dr. Anthony Blanks will be the speaker at the meeting, his subject being, "O. Henry, American."

* * *

A theater party to see Maurice Evans' "Hamlet" in San Francisco last week was composed of Mrs. Valentine Mott Porter, Mrs. Jesse Lynch Williams, Miss Clara M. Taft and Miss Violet Whitney.

* * *

Mrs. Grace Hoyden, who recently came to Carmel to live and has taken a house on Scenic drive, left on Wednesday morning for Seattle, where she was called by the illness of her mother.

* * *

Frank Work and his mother, Mrs. T. A. Work of Monterey, left yesterday for Mexico City where they will spend a month. The will also visit on the Pacific Coast of Mexico.

* * *

Mrs. Joseph G. Hooper has sent out cards for a tea to be held at her home next Tuesday afternoon in honor of her daughter-in-law, Mrs. Thomas Hooper.

* * *

Mr. and Mrs. Theodore Rosenberg came to the peninsula for the weekend from Oakland. Mrs. Rosenberg is the former Muriel Marsh.

* * *

Reuben Mamoulian, Hollywood director, has been in Carmel recently consulting with Donald Ogden Stewart, on a movie script.

* * *

Mrs. Margaret Hanna Lang returned to Los Angeles on Tuesday after a visit of several days in Carmel with Miss Helen Coolidge.

* * *

Mr. and Mrs. Chuck Fuller are back after an extended vacation in Sun Valley, Idaho.

* * *

Miss Effie Kroll came from Piedmont yesterday to visit her friends in Carmel.

It is surprising what latent talents the Duncan sisters developed in Carmel people last Sunday evening in the Ball Room of Del Monte Hotel. Who would have guessed that Kit Whitman of the Carmel Art Institute would win a horse race and a bottle of champagne which helped her and Golden Whitman celebrate their sixth wedding anniversary that evening? And those who have seen Mark Keller about the peninsula were amazed when he piloted his balky steed into first place in the men's race while others, such as Fred Godwin and Mort Henderson struggled along in the rear and took not infrequent, ludicrous tumbles. Singers from our midst the Duncan sisters brought forth, too. Some of those who displayed their vocal talents (or lack) were Mrs. Marjorie Bare, who is a cousin of the Duncans; Barnet Segal, Mrs. Herman Crossman, Mrs. J. E. Abernethy, Dr. Horace Dormody (who proved to be a pretty fancy singer of "My Wild Irish Rose"), Mort Henderson (who wasn't so bad over the microphone as he was on a horse), and Byington Ford (who did a complete solo number of "Daisies Never Tell"). Top honors in the singing went over the hill, however, to Peter Hay, the Scot, with his performance of "Roaming in the Gloaming." Mrs. J. O. Greenan proved that she hadn't forgot what she learned as a Denishawn dancer by doing an exhibition with the Duncan sisters and Susan Shallcross, who came from San Francisco for the party, of "Horsey, Horsey", the new dance craze. Among those from Carmel who joined in the evening of fun were Mr. and Mrs. Webster Street, Mr. and Mrs. Peter Ferrante, Mr. and Mrs. Al Sparks, Mrs. Ivy Van Coit, Mrs. Betty Carr, Mr. and Mrs. Richard Masten, Mr. and Mrs. Don McFadden, Mrs. George Marion, Mr. and Mrs. Harry Durfee, Mr. and Mrs. John Wilhoit, Miss Sue Brownell, Miss Beverly Tait, Mrs. Linda Cooke-Ley, Mr. and Mrs. Jon Konigshofer, Mrs. Marie Elizabeth, Mr. and Mrs. Howard Monroe, Mr. and Mrs. Jimmy Doud, Mr. and Mrs. Louis Vidoroni, Mr. and Mrs. L. L. Dewar, Miss Barbara Bryant, Mr. and Mrs. Peter Elliott, Mr. and Mrs. Carl Rohr, Mr. and Mrs. E. H. Ewig, Mr. and Mrs. John Neikirk, Mr. and Mrs. E. C. Poklen, Miss Babette DeMoe, Tirey Ford, Sam Colburn, Bill Nye and George Aucourt.

* * *

Fred Godwin of La Plata Hotel is in the Monterey Hospital with a back injury. Could it have been caused by the bucking broncos in the Duncan sisters' horse race on Sunday evening?

* * *

Mrs. Alfred Wolff of Carmel has been in San Francisco this week visiting her sister, Mrs. Celia Taylor.

* * *

Miss Liana Whitman is a patient at the Peninsula Community Hospital.

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COUNTY HEALTH REPORT

With fewer cases of chickenpox in this area than before, there were altogether 33 new cases in the county with the major portion in Salinas.

Rowland V. Lee's
"Tower of London"
on Carmel Screen

"Tower of London", historic picture of the cruel days of Richard III and Edward IV of England, comes to the Carmel Theater with a strong local angle for Carmel.

The picture is billed as a Rowland V. Lee production; Robert N. Lee wrote the original screen play; and Barbara O'Neill as Elizabeth, wife of Edward IV, is in the cast supporting Basil Rathbone as Richard III.

The cast includes Boris Karloff, as the executioner, and Ian Hunter as Edward IV.

Jean Herscholt in "Meet Dr. Christian" shares the bill.

Deanna Durbin appears in a more mature role than she has ever attempted before in romantic "First Love", which plays Friday to Sunday.

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Pens and
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DOWN TO THE SEA TO CHASE LITTLE SARDINES by Francis L. Lloyd

It is a far cry, indeed, from the life of the simple Dutch fisherman of the play, "The Good Hope", recently staged in Carmel, to the life of those men of many races who go down to the sea in the fine vessels of the modern Monterey sardine fishing fleet!

In the Dutch play, written a generation ago, the fishermen of the North Sea are pressed into service in unseaworthy hulls and afloat enjoy few of the almost necessary comforts of life. Inevitably, in the end, they go down with their rotten hulls.

Not so, however, with the fishermen of Monterey, or for that matter San Francisco, San Pedro or San Diego, for they venture forth in large and comfortable vessels, equipped with powerful diesel motors to bring them safely home, with the radios for communication with other vessels and with shore.

Most of the larger purse seiners, as they are called, are new, fresh within a few years from the boatyards of Puget Sound or San Francisco Bay. One such is the seiner El Cortez, built last summer by the Martinolich Shipbuilding Company of Tacoma, as hull No. 241. Her first paint is still fresh and her Fairbanks-Morse 210 horsepower six-cylinder diesel has never given her engineer and skipper, Bill Leverich, a moment's worry.

Leverich brought her down from Tacoma last fall as one of eight new seiners Martinolich built for Monterey Bay during 1939. She packs more than 100 tons in the hold, can carry many more tons in calm weather as deck load. And sardines are \$11 a ton this year!

Her crew of ten is entirely Japanese, except for Leverich, many of them old residents of Monterey, some of them youngsters who graduated within a few years from Monterey Union High School. With this crew, one of the many fine groups of men who man the seiners, I had the privilege of sailing on a recent fishing cruise.

Among the crew was K. Takiguchi, who first taught me how to troll salmon in the small boat I bought from him in 1935, an important member of the Japanese Presbyterian Church of Monterey. We spent hours that night discussing the problems of Japan, during which Takiguchi, as fine a man in every respect as I have ever met, repeated his regrets at the law which prevents him, as a native of Japan, from ever becoming an American citizen.

Others in the crew were Torazo Kuwatani, fishing skipper or, in the jargon of the fleet, "boss fisherman", a tall and powerful man. There were several senior members as well as three younger crewmen, among them Gene and Tommy Kageyama and the youthful diver, Hattori.

When I joined El Cortez at 5 p. m., they were in the midst of supper, all but Leverich using chopsticks and expressing their appreciation in Japanese fashion of the good cooking of Takiguchi. He, as volunteer cook, shared with the fishing captain the privilege of not standing wheel watch, which the others stand for two hours, two at a time, rotating through eight hours.

About dusk we weighed anchor and moved out with scores of other large seiners toward the fishing grounds up Monterey Bay. For several hours, until the moon was so high that its light made it impossible to see the sardine schools by their own luminescence, we searched in vain for fish. Then, with a first-quarter moon nearing the zenith, we temporarily gave up the chase. Leverich killed the motor and we drifted pleasantly on a gentle ground swell for several hours during which we ate warm food and slept in the comfortable bunks, warmed by the heat of the large oil-burning galley stove.

When the moon was again low in the sky, the motor was started, and it seemed in a few minutes, the word came to "Stand by." The crew tumbled out of their bunks and went on deck. I went to the bridge where Kuwatani stood at the wheel, with Takiguchi at one side and Leverich at the controls. We were moving ahead very slowly, maneuvering for the school. All around us were other seiners similarly trying to get at the sardine schools which were apparently moving along a line two miles south of the Santa Cruz buoy.

Here red lights showed that a boat was making a set, there bright lights showed that a boat was bringing in the net and perhaps bringing the fish into the boat. Men and boats were at work and the gold rush was on. And, as the signal came to shoot our net, another seiner nosed in toward where Gene Kageyama was waving a flashlight in the skiff at the end of the net. Our men shouted and Kuwatani jerked the whistle cord several times before our interloper safely cleared the net and made off into the night.

It was exciting out there in the dark, with the glow of sardine schools about us, and the lights of the scores of boats working all about us. It was exciting to see the quick action of all the members of the crew, each going to his position without command, each working with ease at his heavy task of handling a net which weighs five or six tons, one of the biggest nets on the bay and 1400 feet long!

In the net were a few sardines—perhaps four or five tons in the estimate of the crew—and a sea lion and a sting ray. The seal and the ray could be seen clearly as they swam about by the phosphorescence they made as their bodies moved in the water. And the sardines were a symphony of light, as they surged back and forth in their frantic yet puny efforts to escape.

The haul was not enough, so, gambling for time to make a successful set for a possible 30 to 100 tons, the fishermen let the small school of fish go and prepared to make another set. This move, however, was doomed to failure, as too soon the dawn broke over Monterey bay, showing up Loma Prieta on the east and the Santa Lucia hills in the south. We came home through the bright morning without a fish in the hold for all the combined effort of a dozen able-bodied men and their \$50,000 worth of first class equipment. "Skunked!"

This is a brief picture of sardine fishing as practiced nowadays on the Pacific coast. It is not many years ago, however, that members of Monterey's Ferrante family brought the first sardine nets from Italy by way of Egypt, and improved this net. Through the stages of the lampara net, a small, light net with long wings and a sack at the end into which the fish are scared, and the half-ring seine, in which the principle of the purse seine first appeared, that of closing the net by pulling a rope through rings attached to the bottom of the net, the present net has evolved. An American Jugo-Slav is credited with this improvement.

The first purse seine was a modest net compared with the huge nets now used. And, in the recent stages

of this evolution, the old tanned net has given way to the tarred nets of the northern fishermen.

The evolution of the net was accompanied by an evolution of the type of fishing boat for sardines. In Portugal the fishermen push their boats off the beach to go fishing and many drown in the surf returning, or caught in storms beyond reach of harbors. Boats not much different from these made up Monterey's early fleets, first with picturesque lateen sail, later with one-cylinder gas motors.

The size of these lampara boats grew, until the half-ringer appeared, sometimes a southern clipper-bowed craft but frequently the northern type, straight-stemmed and with fantail stern. The size of these craft grew, and power winches were added for handling the larger nets, thus expanding the range in depth and length of net. The size of the boat and its increased power and speed gave it wider range, until today Monterey seiners go north of Point Reyes for fish when schools nearer to hand are scarce, or they may go south of San Simeon.

The increase in fishing ability, in the numbers of boats, has made it hard for the sardine to survive. He is harried from Mexico to Alaska, always in the water close to shore, and the California State Fish and Game Division is worried for his ultimate survival as a species. The sea is not literally "full of fish!"

It has been a sore point between members of the industry who see a continually expanding industry, and scientists who have determined that the same sardine schools are fished from San Diego to British Columbia, that the sardine is being rapidly depleted, and that before long strict regulation must come to prevent the sardine—and the noble fleets that fish for him—from vanishing forever.

This account started as a pleasant excursion to watch others perform at their excellent profession, and ended in a note of regret over the possible extinction of the sardine.

In these same waters the once apparently inexhaustible herds of sea otters were pursued in the last century by Russians and Aleuts, and vanished, until a tiny herd of a few individuals was found at Bixby Landing three years ago. The dodo was slaughtered and vanished forever, and the immense flights of carrier pigeons were wiped from the skies.

More cheerful is the aspect of the case of the fur seal and the Pacific salmon. By international agreement, the fur seal herds have been protected and are now "harvested" with the result that they are on the increase. The salmon fishery of the Swiftsure Bank off the Washington coast is similarly coming back. The system, under federal regulation, of "harvesting" the great salmon runs of northern Alaska, such as the Bristol Bay salmon, indicate what may be done one of these days for Sardinia Caerulea!

Meanwhile the sardine fishermen of Monterey continue to lead THE LIFE—if you don't mind hard physical labor, seafaring with all that that simple word infers, and the hazards and privations of life at sea!

They've graduated from small boats and slim pickings and the long years of learning a trade under conditions that few who go near the ocean only for surf-bathing or yachting will ever know.

And now they're Kings of the Sea!

And it should be noted that El Cortez is the seiner which last week was in collision with the small hook-and-line boat, Providenza Aiello,

Carmel Bay shortly after the two which sank two hours later outside fishermen aboard were rescued by another seiner.

The explanation given by the crew of El Cortez seems to be sufficient. They say they had a less experienced man at the wheel who thought that the smaller boat was not badly harmed. Other members of the crew maintain he would have been wise to have stood by to check fully this fact before proceeding. They are "very regretful" that this incident occurred which promptly gave them the nickname in Monterey of "The

Pirates". Had the Providenza been a newer boat, it might easily have survived such a collision.

It was lucky for the Aiello that another seiner did come by as they frantically bailed with buckets to keep afloat. At that, however, no charges could have been filed against El Cortez, it was said. As it now stands, only a civil suit could result, although the matter appears much more serious when human lives are involved.

There are few pirates left on these seas—they went out of style with Prohibition!

Palm Springs Takes Up Where Carmel Left Off

Carmel once had a vigorous way of doing quaint things which caught the public eye.

Now Palm Springs is doing a very good job of just that sort of thing. Take, for instance, the big squabble down on the desert over the erection of a "Chic Sale" on a prominent corner amid the magnificent winter estates of the southern resort.

Reports "The Limelight", which claims both to be Palm Spring's only home-owned newspaper and America's foremost desert weekly:

"An historic meeting of prominent villagers took place Wednesday morning around a recently erected comfort station on the triangle at the junction of Palm Canyon and Indio Road. Present and at the boiling point was William Kidston, owner of an estate in Tahquitz Desert Estates, who resented the erection of such a structure at the entrance to the exclusive residential colony."

The comfort station was intended to be an attention compeller for a service station, and one Lyman Obernalde, who built it, got his money's worth of attention. He completed it on the eve of the passage of a zoning ordinance, but his high-gearred actions were abruptly stalled.

The net result of the erection of the privy in its super-prominent position in front of the service station was that Obernalde had his business license cancelled by the planners of Palm Springs, and a Mrs. Harriet Cody, owner of the property on which it was erected, lost a tenant and \$1000 a year rent for the land.

She pleaded that she had consistently refused to sell her holdings in the south end of the Palm Springs

village to interests which were not for the best development of the area, but that now, with the loss of her privy-building tenant, "Every smitch of my property is listed for sale to anyone who will buy it for whatever purpose."

So closes another epic in the annals of another unique village, and Palm Springs residents can go back to dozing in the sun, safe from the fear of other comfort stations rearing their ugly heads in their neighborhood.

DEED: Herbert A. Hoesser et ux to George E. Simmons & Margaret L. Perceval, Jr. ten. Oct. 2. \$10. Lot 4 & N^{1/2} of Lot 6, Blk. 4, Carmel.

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Dolores Street

HAVE YOU ANY Old Pictures



In your attic, or in an old trunk, or somewhere tucked away among your possessions you have some photographs of old Carmel. Or of Carmelites when our village was younger.

Would you lend them to us for our anniversary issue, due to be published when we get the city through its ordinance ordeal? We promise to take good care of them and to return them promptly after engravings have been made. Some photographs we already have and we can't guarantee to use all that are sent in, but we would like to look over what you have.

If you have any old memories stored away in a corner of your brain, we'd also be interested in inspecting them. Write out what comes to your mind of Carmel when The Pine Cone was first published, a quarter of a century ago. We're going to have quite a collection of reminiscences and we'd like to add yours to the rest.



The Carmel Pine Cone

Published Every Friday
Since February 3, 1915

The Current New York Theater: The Musicals..... by R. J. Gale

Remember Geraldine Spreckels who played the feminine lead in the Carmel Player's production of "Three Men on a Horse?" Miss Spreckels has achieved a Broadway appearance, but this time she isn't playing leads. Looking lovelier than ever, she is first in the line of the chorus in Cole Porter's diverting but naughty musical, "Du Barry Was a Lady", starring Bert Lahr and Ethel Merman and featuring Betty Grable. Miss Spreckels is billed as one of the "Starlets of the Club Petite". Lahr, whose last appearance in the movies was the Cowardly Lion in "Wizard of Oz", gives a grand comedy performance.

"Du Barry Was a Lady" is spectacularly beautiful in sets and costumes and is playing to capacity houses. One of the most risque of recent revues, it has aroused some heated comment among the critics. H. I. Phillips in the "Sun" didn't allow the holiday spirit from getting this out of his system: "Censorship in the theater is certain in the next few years, as a result of the incredibly low level to which the standards of amusement have sunk in the past few seasons.—The book is the sort of thing that might have been thought up in a journey through a sewer, and the lyrics were so unspeakably vile that an exterminator company could use them to disinfect the slums.—It is a leering performance, and why those groups which campaign strenuously against the movies and the magazines stand by and let the theater get away with this one is beyond this correspondent, who burned his clothes immediately after leaving the theater."

Following which, no doubt, Phillips signed his quota of Christmas cards and enjoyed a hearty dinner of turkey and all the trimmings!

Another revue playing to standing room only is Olson and Johnson's "Hellzapoppin!" It is filled with slapstick fun, uses every device known to the theater to get laughs, and is without doubt the noisiest evening the theater has yet experienced. Olson and Johnson were vaudeville when Ethel Barrymore was doing Barrie's "The Twelve Pound Look" on the two-a-day and the Marx Brothers were annual visitors on the Keith-Orpheum Circuit.

Some of the stunts in "Hellzapoppin!" must be older than even vaudeville, but they are hilariously funny. The show overflows the stage several times during the evening, and carries on in the aisles and the boxes; more than once the actors on the stage are outnumbered by those scattered about the theater. "Crazy, but good fun!" is the audience reaction.

Bobby Clark and Luella Gear are the comedians of the sparkling and exciting musical revue, "The Streets of Paris" in which Carmen Miranda, "the South American bombshell", has made such a hit. Every Broadway season has its outstanding and novel personality, and this year it's Miranda. She is different and dances with a gay spontaneity that audiences find contagious, but she is on the stage so short a time that it is difficult to judge as to whether she is really as good as she seems or is just another flash in the pan. Bobby Clark, whom I last saw as part of the famous old team of Clark and

McCullough in "Fifty Million Frenchmen", and Luella Gear who was with W. C. Fields and Madge Kennedy in "Poppy" 10 or 12 years ago, are as expertly amusing as ever and are largely responsible for the success of "Streets of Paris".

The New York theater is enjoying the best season since 1929; more plays are running, runs are longer, and theater-goers more plentiful than at any other time in the last ten years. During the Christmas holidays, more than 30 plays were on view, and two or three new ones were being added each week. The prosperity of the current season may

be realized when we glance at the number of big and expensively produced musical comedies and revues. A good drama may be produced on shoe-string capital, but it takes money, and a lot of it, to get a musical under way. Seven of these are playing in New York at the present time, and another is headed for Broadway after a Washington, D. C., tryout.

At least \$100,000 must have been the investment before "Du Barry" ever faced an audience, and "The Streets of Paris" is as expensively staged and costumed.

A really "nice" musical—clean,

gay, effervescent and amusing—is "Very Warm for May", by Oscar Hammerstein II, and Jerome Kern, with dances staged by Albertina Rasch and Harry Losee. There is a striking dance number, "Ballet Pecculare", in which a psychoanalyst's dream furnishes the motif. This is one of the most original dance numbers the theater has had in years. Eve Arden carries off the comedy honors, playing the silly matron type in the manner of Mary Boland. (In case the name Eve Arden means nothing to you, she was the girl who walked on the ceiling in "The Marx Brothers at the Circus").

CITY OF CARMEL DELINQUENT TAX LIST

Delinquent tax list of real estate, improvements and personal property, as the same appear in the Official Tax Roll in and for the City of Carmel-by-the-Sea, Monterey County, California, levied and assessed for Municipal purposes, for the year 1939.

Explanation of symbols used to designate amounts: Public notice is hereby given that the figures appearing opposite, following and last after each description of property or properties, in the following delinquent assessment list, were intended to, and do, represent respectively in dollars or in cents, or in dollars and cents, as the case may be, the amount due for taxes, penalties and costs in the matter as follows: To-wit: When or where two figures appear therein, cents were intended to be and are represented; when and where more than two figures thus appear therein, cents were intended to be and are represented by the last two figures, and the figures occupying and appearing at the left of the said last two figures and separated therefrom by a space or period, were intended to and do indicate dollars, so that the amount due for taxes, penalties and costs in the respective cases as aforesaid, are thus expressed in dollars and cents. The amounts shown in the following list include ten percent penalty and publication charge.

Lydia E. Roberts, Lot 5, Block 5, Carmel City, Taxes \$6.93.
Carrie S. Freeman, Lots 5 & 7, Block 6, Carmel City, Taxes \$6.30.
John M. & Marjorie M. Albee, Lots 13 & 15, Block 13, Carmel City, Taxes \$31.75.
S. Diaz, Lot 1, Block 15, Carmel City, Taxes \$4.18.
Moses A. Machado, Lot 5, Block 15, Carmel City, Taxes \$6.50.
Kate Miranda, Lots 7 & 9, Block 15, Carmel City, Taxes \$7.68.
Edward & Hattie Pettiford, Lot 14, Block 15, Carmel City, Taxes \$9.00.
Pablo Feliz Estate, Lot 5, Block 16, Carmel City, Taxes \$2.80.
Arlie Ward, Lot 4, Block 20, Carmel City, Taxes \$9.00.
Alfred D. & Margaret Rico, Lots 2, 4 & 6, Block 23, Carmel City, Taxes \$4.18.
Samuel & Nora M. Wood, Lots 17 & 19, Block 23, Carmel City, Taxes \$20.05.

Elmer R. Douglas, Lot 3, Block 25, Carmel City, Taxes \$10.57.
J. Marjorie Berger, Lots 23 & 25, Block 37, Carmel City, Taxes \$7.68.
J. Marjorie Berger, Lots 18 & 20, Block 38, Carmel City, Taxes \$7.68.
Janet G. Westfall Estate, Lots 6, 8 & 10, Block 39, Carmel City, Taxes \$22.87.
Ellena H. Treat, Lots 5, 7 & 9, Block 47, Carmel City, Taxes \$6.37.
Martha Hofsas, Lot 15, Block 61, Carmel City, Taxes \$2.80.
E. B. & Adele S. Hillman, Lot 7, Block 32, Carmel-by-the-Sea, Taxes \$8.30.
Arthur E. & Merle Hilbert, Lots 13 & 15, Block 49, Carmel-by-the-Sea, Taxes \$19.37.
Mrs. M. A. Machado, Lots 17 & 19, Block 51, Carmel-by-the-Sea, Taxes \$20.75.

Emille & Gottfried Noller, Lot 5, Block 52, Carmel-by-the-Sea, Taxes \$14.50.
Claribel H. Zuck, Lot 15, Block 52, Carmel-by-the-Sea, Taxes \$14.50.
Rudolph F. & Emma Ohm, Lots 1 & 3, Block 54, Carmel-by-the-Sea, Taxes \$13.87.
R. F. Ohm, Lots 2 & 4, Block 54, Carmel-by-the-Sea, Taxes \$25.55.
Eunice T. Gray, 5 ft. Lot 8, N 5 ft. Lot 9, & W 1/2 ft. Lot 10, Block 71, Carmel-by-the-Sea, Taxes \$24.10.
R. F. Ohm, Lot 14, Block 75, Carmel-by-the-Sea, Taxes \$19.64.

Daniel L. & Harriet L. Smith, Lot 24, Block GG, Addition 3, Taxes \$22.05.

Vivien McEwen, Lots 13, 14, 15 & 16, Block HH, Addition 3, Taxes \$60.75.

Evelyn Crichton, Lot 20, Block LL, Addition 3, Taxes \$12.43.

The Anglo California National Bank, Lots 14, 16, & W 40 ft. Lot 13, & W 40 ft. Lot 15, Block 10, Addition 4, Taxes \$26.08.

Ney Otis, Lot 10, Block 4 1/2, Addition 4, Taxes \$3.84.

Carmel Development Company, Part Lot 1, Block 27, Addition 4, Taxes .88.

Carmel Development Company, Part Lot 15, part Lot 17, part NW of Road Lot 19, Block 28, Addition 4, Taxes \$6.37.

Josephine M. Blanch, Lot 8 & N 10 ft. Lot 10, Block 31, Addition 4, Taxes \$5.82.

Alice R. Josselyn, Lots 1 & 3, Block 82, Addition 5, Taxes \$10.43.

Wilma Hervey & Nan Mason, Lot 9, Block 86, Addition 5, Taxes \$13.12.

Harold D. & Nancy D. Bragg, Lots 2, 4, 6, 8, 10 & 12, Block 100, Addition 5, Taxes \$32.00.

Grace P. Wickham Estate, Lots 6, 7, 8, 9 & 10, Block 102, Addition 5, Taxes \$21.96.

Marie E. Gordon, Lots 6, 7, 8, 9, 10 & 11, Block A2, Addition 6, Taxes \$263.89.

John W. Ward, Lot 10, Block A6, Addition 6, Taxes \$16.55.

Esther Proctor, Tract of land bounded on North by Pescadero Rancho; bounded on West, South & East by Second Avenue, being a part of Addition 3, City of Carmel-by-the-Sea; portion acre, Taxes \$2.80.

OFFICE OF THE TAX COLLECTOR OF THE CITY OF CARMEL-BY-THE-SEA, CALIFORNIA.

NOTICE IS HEREBY GIVEN to all delinquent tax payers and property owners mentioned, set forth and described in the foregoing list on the Assessment Roll of 1939, for the fiscal year 1939, in and for the City of Carmel-by-the-Sea, County of Monterey, State of California, a Municipal Corporation duly organized and existing under the laws of the State of California, that unless the taxes delinquent, together with the costs and percentages due, as in the above delinquent list set forth, are paid prior to Wednesday, the 21st day of February, A. D. 1940, at ten (10) o'clock in the forenoon of said day, the real property on which said taxes are a lien, will be sold to the City of Carmel-by-the-Sea, by operation of law and by declaration, for the payment of such taxes, percentages and costs. The sale will take place at the Office of the Tax Collector in the City Hall on Dolores Street, between Ocean Avenue and Seventh Avenue, City of Carmel-by-the-Sea.

EXCEPTION: Any property appearing in the foregoing delinquent tax list, which has been previously sold to the City for taxes and for which a Certificate of Tax Sale has been issued to the City, and Redemption from such sale has not been made, will not again be sold to the City until such property has been redeemed from the previous sale.

IN WITNESS WHEREOF, I have hereunto set my hand as Tax Collector, this 11th day of January, A. D. 1940.

THOMAS J. HEFLING,
Tax Collector for the
City of Carmel-by-the-Sea.
First publication, January 26, 1940.
Second and last publication, February 2, 1940.

School Page

Editor for The Pine Cone

Cornelia Shuman

Assistants:

Frances Passailaigue, Margery Street, Baird Bardarson, Martina Tait

Linoleum Cuts

George Moller

New Student Body Officers Installed

Lila Whitaker, retiring president of the Carmel junior high school student body, opened an important meeting in the auditorium to introduce newly-elected officers to their duties. Committee reports covering the last term were heard.

Speeches were heard from Kenneth Jones, who turned over his office of business manager to Louis Levinson; Sandy Burhams turning over his office of vice-president to Jimmy Handley; Peggy Gargiulo, turning the office of secretary over to Henrietta Erickson; and from Lila Whitaker, who turned over her duties to Vincent Torras.

Mr. O. W. Bardarson said a few words urging the children not to ride their bicycles on the sidewalks and commended the fine playing of the basketball teams.

Margery Street.

BASKETBALL CONTESTS

The second of the basketball series between classrooms took place last Friday at the Sunset school gymnasium. The first game was played between Mrs. Frances Johnson's and Mr. Arthur Hull's rooms. The game was won by Mr. Arthur Hull's room by a score of 14 to 17.

In the second game Mrs. Phyllis Walker's room won by a score of 14 to 10 over Miss Adele Osborn's room. The intra-class games are popular and more will probably be played before the basketball season is over.

Baird Bardarson.

STUDENTS TO HEAR "CARMEN"

A group of Carmel school children will have the opportunity of hearing the opera "Carmen" in San Francisco on Saturday, March 2, when Miss Grace Knowles will be in charge of the excursion by bus. Three dollars will cover all expenses if 50 students go, it is announced.

SUNSET MENUS

Monday—Peanut butter soup, mixed fruit salad, baked hash, diced beets, ice cream.

Tuesday—Beef broth with barley, molded apricot salad, macaroni and cheese, artichokes, jello.

Wednesday—Cream of tomato soup, asparagus salad, hamburgers, corn, ice cream.

Thursday—Vegetable soup, blushing pear salad, Spanish beans, peas, butterscotch pudding.

Friday—Split pea soup, peach and pineapple salad, rice pudding, carrots, ice cream.

LEGAL ADVERTISEMENT

ORDINANCE NO. 223

AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 150 OF THE CITY OF CARMEL-BY-THE-SEA, ENTITLED, "AN ORDINANCE PROVIDING FOR THE CONTROL AND ERADICATION OF RABIES IN THE CITY OF CARMEL-BY-THE-SEA AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF", AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES ORDAIN AS FOLLOWS:

Section 1. That Section 3 of Ordinance No. 150 of the City of Carmel-by-the-Sea, entitled, "An Ordinance Providing for the Control and Eradication of Rabies in the City of Carmel-by-the-Sea and Prescribing Penalties for the Violation Thereof", passed and adopted by the City Council of said City on the 13th day of March, 1935, is hereby amended to read as follows:

"Section 3. That whenever it appears by certification of the health officer of said city or by other satisfactory proof to the City Council of said City that an epidemic of rabies exists in the City of Carmel-by-the-Sea said Council may forthwith, by resolution, declare the existence of such epidemic and may require all dogs and cats within said City to be immunized against said disease, as hereinafter set forth."

Section 2. That all ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. That this ordinance shall take effect and be in force thirty (30) days from and after its final passage and approval.

Section 4. That the City Clerk of the City of Carmel-by-the-Sea is hereby instructed to cause this ordinance to be published once in the Carmel Pine Cone, the official newspaper of said City, within fifteen (15) days after its final passage and approval.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 24th day of January, 1940, by the following vote:

AYES: COUNCILMEN: Heron, Kellogg, Watrous, Smith, Rountree.
NOES: COUNCILMEN: None.
ABSENT: COUNCILMEN: None.
Approved: January 24, 1940.

HERBERT HERON,
Mayor of said City.

ATTEST:

SAIDEE VAN BROWER,
City Clerk thereof.

(SEAL)

I, the undersigned Clerk of the City of Carmel-by-the-Sea and Ex-Officio Clerk of the Council of said City:

Do hereby certify: That the foregoing Ordinance is a true and correct copy of Ordinance No. 223 which was introduced at a regular meeting of the Council held on the 3rd day of January, 1940:

Passed and adopted at an adjourned regular meeting of the Council on the 24th day of January, 1940:

I further certify that said Ordinance was thereupon signed by Herbert Heron, Mayor of said City.

ATTEST:

SAIDEE VAN BROWER,
City Clerk thereof.

ORDINANCE NO. 224

AN ORDINANCE AMENDING ORDINANCE NO. 196 OF THE CITY OF CARMEL-BY-THE-SEA, ENTITLED, "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF CARMEL-BY-THE-SEA AND REPEALING ORDINANCE NO. 172 OF THE CITY OF CARMEL-BY-THE-SEA ENTITLED, "AN ORDINANCE AUTHORIZING THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA TO ISSUE PERMITS FOR THE PARKING OF TAXIS, etc.," AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE."

THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA

LEGAL ADVERTISEMENT

DOES ORDAIN AS FOLLOWS:

Section 1. That Section 58 of Ordinance No. 196 of the City of Carmel-by-the-Sea entitled, "An Ordinance Regulating Traffic Upon the Public Streets of the City of Carmel-by-the-Sea and Repealing All Ordinances and Resolutions in Conflict Herewith", passed and adopted by the City Council of said City on the 8th day of June, 1938, is hereby amended to read as follows:

"Section 58. BUS AND TAXI STANDS TO BE ESTABLISHED.

(a) No person shall park or stand any vehicle used or intended to be used in the transportation of persons for hire on any street while waiting patronage for such vehicle without first obtaining a permit so to do from the Chief of Police of said City designating the exact location where such vehicle shall be permitted to park or stand. The Chief of Police shall only issue permits for such vehicles to park or stand at such points as may from time to time be designated by resolution of the City Council.

(b) The Superintendent of Streets shall cause the curb opposite such stands to be painted red with the words in white letters "TAXI ZONE" or "BUS ZONE" as the case might be, stenciled thereon."

Section 2. That Ordinance No. 172 of the City of Carmel-by-the-Sea, entitled, "An Ordinance Authorizing the City Council of the City of Carmel-by-the-Sea to Issue Permits for the Parking of Taxis or Buses in any Particular Spaces on Either Side of Ocean Avenue Between Junipero Street and Monte Verde Street, and Prohibiting The Parking of such Vehicles in said Area Unless Such Permits Are Issued", passed and adopted by the City Council of said City on the 20th day of May, 1936, and all other ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 3. That the City Clerk of the City of Carmel-by-the-Sea is hereby instructed to cause this ordinance to be published once in the Carmel Pine Cone, the official newspaper of said City, within fifteen (15) days after its final passage and approval.

Section 4. That this ordinance shall take effect and be in force thirty (30) days from and after its final passage and approval.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 24th day of January, 1940, by the following vote:

AYES: COUNCILMEN: Heron, Kellogg, Watrous, Smith, Rountree.
NOES: COUNCILMEN: None.
ABSENT: COUNCILMEN: None.
Approved: January 24, 1940.

HERBERT HERON,
Mayor of said City.

ATTEST:

SAIDEE VAN BROWER,
City Clerk thereof.

(SEAL)

I, the undersigned Clerk of the City of Carmel-by-the-Sea and Ex-Officio Clerk of the Council of said City:

Do hereby certify: That the foregoing Ordinance is a true and correct copy of Ordinance No. 224 which was introduced at a regular meeting of the Council held on the 3rd day of January, 1940:

Passed and adopted at an adjourned regular meeting of the Council on the 24th day of January, 1940:

I further certify that said Ordinance was thereupon signed by Herbert Heron, Mayor of said City.

ATTEST:

SAIDEE VAN BROWER,

City Clerk thereof.

ORDINANCE NO. 225

AN ORDINANCE TO AMEND ORDINANCE NO. 191 OF THE CITY OF CARMEL-BY-THE-SEA, ENTITLED, "AN ORDINANCE RELATING TO THE PREPARING, INSTALLING, OPERATING AND REMOVING OF ELECTRIC WIRES AND APPARATUS; etc.," BY ADDING THERETO A NEW SECTION DESIGNATED SECTION 15-A, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE."

THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA

LEGAL ADVERTISEMENT

WITH THIS ORDINANCE.

THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES ORDAIN AS FOLLOWS:

Section 1. That Ordinance No. 191 of the City of Carmel-by-the-Sea entitled, "An Ordinance Relating to the Preparing, Installing, Operating and Removing of Electric Wires and Apparatus; Providing a Penalty for the Violation of said Ordinance; Repealing Ordinance No. 37 of the City of Carmel-by-the-Sea, and All Other Ordinances and Parts of Ordinances in Conflict with the Provisions of this Ordinance", passed and adopted by the City Council of said City on the 23d day of March, 1938, is hereby amended by the addition thereto of a new section designated Section 15-A and which shall read as follows:

"Section 15-A. RECESSED, INBUILT OR TOTALLY ENCLOSED SUSPENDED LIGHTING FIXTURES. The enclosures for lampholders constructed or installed for completely inbuilt, recessed or suspended types of lighting fixtures or units shall be made of metal or other approved types of non-combustible material.

Where metal is used, all seams shall be welded, riveted or crimped. No solder shall be used in the construction of said enclosures. Sheet copper or aluminum shall not be less than 0.030 inches thick and sheet steel shall not be less than No. 22 U. S. G. Galvanized. At least two fastenings shall be used on each seam.

Glass Panels shall have the following minimum thicknesses:

Area	Thickness
Not over 150 sq. in.	3/32 in.
Not over 250 sq. in.	1/8 in.
Not over 500 sq. in.	5/32 in.

Frames and panels in which glass is secured shall be furnished with at least two hinges and a positive latch, or if not over 300 sq. in. in area may be held by removable bolts or nuts, so as to provide for relamping.

Lampholders and other devices shall be of porcelain of the concealed contact type and shall contain a waterproof high cement instead of the usual sealing compound.

Where more than one lampholder is installed the wiring to same shall be enclosed in a metal trough or raceway not less than No. 22 U. S. G.

Asbestos Covered Fixture wire or Asbestos Covered Type 'A' wire shall be installed for the wiring of said fixtures.

Recessed fixtures shall be so installed that any recessed portion will be at least 1/2 inch from combustible surfaces. This does not include supports which may be mounted on such combustible material provided said supports do not interfere with the free circulation of air about the exterior housing of the fixture.

Knockouts shall be provided for the connection of a recognized wiring system to the fixture enclosure, or a standard outlet box shall be attached to the outside of the fixture.

Asbestos Covered fixture wire or Asbestos Covered Type 'A' wire of a size based upon the current requirements of the largest lamps which can be installed in the fixture shall be used from the fixture to a point at least four feet away. After terminating said wires in the outlet box four feet away from said fixtures, rubber covered conductors may be installed between the panelboard and said outlet box, or providing the installation is in a permanently dry location. Asbestos Covered Type 'A' (Stove Wire) of a type approved for raceway installation may be installed between the panelboard and the fixture without terminating in the outlet box four feet away."

Section 2. That all ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. That this ordinance shall take effect and be in force thirty (30) days from and after its final passage and approval.

Section 4. That the City Clerk of the City of Carmel-by-the-Sea is hereby instructed to cause this ordinance to be published once in the Carmel Pine Cone, the official newspaper of said City, within fifteen (15) days after its final passage and approval.

PASSED AND ADOPTED BY

LEGAL ADVERTISEMENT

THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 24th day of January, 1940, by the following vote:

AYES: COUNCILMEN: Heron, Kellogg, Watrous, Smith, Rountree.

NOES: COUNCILMEN: None.

ABSENT: COUNCILMEN: None.

Approved: January 24, 1940.

HERBERT HERON,
Mayor of said City.

ATTEST:

SAIDEE VAN BROWER,
City Clerk thereof.

(SEAL)

I, the undersigned Clerk of the City of Carmel-by-the-Sea and Ex-Officio Clerk of the Council of said City:

Do hereby certify: That the foregoing Ordinance is a true and correct copy of Ordinance No. 225 which was introduced at a regular meeting of the Council held on the 3rd day of January, 1940:

Passed and adopted at an adjourned regular meeting of said Council on the 24th day of January, 1940.

I further certify that said Ordinance was thereupon signed by Herbert Heron, Mayor of said City.

ATTEST:

SAIDEE VAN BROWER,
City Clerk thereof.

(SEAL)

ORDINANCE NO. 226

AN ORDINANCE TO PROHIBIT CERTAIN DOMESTIC ANIMALS OR FOWLS FROM RUNNING AT LARGE WITHIN THE CORPORATE LIMITS OF THE CITY OF CARMEL-BY-THE-SEA AND REPEALING ORDINANCES NO. 6, NO. 49 AND NO. 89 OF SAID CITY AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES ORDAIN AS FOLLOWS:

Section 1. I shall be unlawful for the owner of any horse or other domestic animal to permit the same to be or run at large, or to pasture, herd, stake or tie the same for the purpose of grazing, in or upon any public street, alley, park or public place within the City of Carmel-by-the-Sea or upon any private property within the corporate limits of Carmel-by-the-Sea without the consent of the owner or occupant of such property first had and obtained; or for such animals, or any of them, to be staked or pastured within fifty (50) feet of the residence of any person without the consent of such person first having been had and obtained.

Section 2. It shall be unlawful for any horse or other domestic animal to be herded or driven by any person or persons along or upon any street, lane, alley or other public place in said City unless a leash, rope or other such contrivance be securely fastened to any such animal so herded or driven and held by the person driving or herding the same.

Section 3. It shall be unlawful for the owner of any domestic fowl or fowls to permit the same to be or run at large in or upon any public street, alley, park or public place within the City of Carmel-by-the-Sea or upon any private property within the corporate limits of Carmel-by-the-Sea without the consent of the owner or the occupant of such property first had and obtained.

Section 4. Ordinance No. 6 of the City of Carmel-by-the-Sea, entitled, "An Ordinance to Prohibit Certain Domestic Animals from Running at Large Within the Corporate Limits of the City of Carmel-by-the-Sea, Providing for the Impounding of such Animals, and Providing a Poundmaster and the Burial of Dead Animals," passed and adopted by the City Council of said City on the 6th day of February, 1917; Ordinance No. 49 of the City of Carmel-by-the-Sea, entitled, "An Ordinance Relating to Chickens or Other Domestic Fowls Running at Large Within the Corporate Limits of the City of Carmel-by-the-Sea, and Prescribing Penalties for the Violation Hereof," passed and adopted by the City Council of said City on the 26th day of March, 1923; Ordinance No. 89 of the City of Carmel-by-the-Sea, entitled, "An Ordinance Relating to Chickens or Other Domestic Fowls Running at Large Within the Corporate Limits of the City of Carmel-by-the-Sea, and Prescribing Penalties for the Violation Hereof," passed and adopted by the City Council of said City on the 5th day of August, 1931, is hereby amended to read as follows:

"Section 3. Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding Three Hundred Dollars (\$300.00) or by imprisonment in the City Jail or the County Jail of Monterey County for not more than three (3) months, or by both such fine and imprisonment; and every day during any portion of which any of the provisions of this ordinance shall be violated, or during which there shall be a failure, neglect or refusal to comply with any of said provisions, shall constitute a separate misdemeanor, and shall be punishable as herein provided.

Section 4. This ordinance shall take effect and be in force thirty (30) days from and after its final passage and approval.

Section 5. Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding Three Hundred Dollars (\$300.00) or by imprisonment in the City Jail or the County Jail of Monterey County for not more than three (3) months, or by both such fine and imprisonment; and every day during any portion of which any of the provisions of this ordinance shall be violated, or during which there shall be a failure, neglect or refusal to comply with any of said provisions, shall constitute a separate misdemeanor, and shall be punishable as herein provided.

Section 6. This ordinance shall take effect and be in force thirty (30) days from and after its final passage and approval.

Section 7. The City Clerk of the City of Carmel-by-the-Sea is hereby instructed to cause this ordinance to be published once in the Carmel Pine Cone, the official newspaper of said City, within fifteen (15) days after its final passage and approval.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 24th day of January, 1940, by the following vote:

AYES: COUNCILMEN: Heron, Kellogg, Watrous, Smith, Rountree.

NOES: COUNCILMEN: None.

ABSENT: COUN

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(Continued from page Thirteen) were a lien on the real property at the time of sale.

(b) All other unpaid taxes of every description which were a lien on the property for the year of sale and for each year since the sale, as shown on the rolls. As used in this subdivision, "rolls" does not include any roll for which the time of sale to the city is not past.

SECTION 31. "Current taxes" means taxes which are a lien on property but which are not included in the "amount of sold taxes" as defined in this ordinance, except that between a lien date and the time in the same calendar year when property is sold to the city for taxes the taxes becoming a lien on this lien date in such calendar year are not yet "current taxes."

SECTION 32. "Current roll" means the roll containing the property on which current taxes are a lien.

SECTION 33. "Tax sold property" is real property which has been sold to the city by operation of law for taxes and from which the lien of the taxes for which it was sold has not been removed.

SECTION 34. "Tax deeded property" is real property which has been deeded to the city for taxes.

SECTION 35. Writing includes any form of recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, petition, permit, statement, or record is required by this ordinance, it shall be made in writing.

SECTION 36. Unless expressly otherwise provided, any notice required to be given to any person by any provision of this ordinance may be given by mail. For service by mail, the notice shall be deposited in the post office in a sealed envelope, postage paid, addressed to the proper person at his address as shown on any document in the matter concerning which the notice is sent, or at his last known address, or, if no address is known, to him in this city.

SECTION 37. Whenever it is required by this ordinance that any publication be made, it shall be made in a newspaper of general circulation published in this city. If there is no such newspaper, publication shall be made by posting in three public places in the city for the required length of time, but no less than five days, or as otherwise directed by the city council.

SECTION 38. In the assessment, advertisement, and sale of real property for taxes, any abbreviations may be used if a written explanation of them appears either:

(a) on each page of the roll, or
(b) in the front of each book of the roll and a reference to this explanation appears on each page of the roll.

SECTION 39. If any act is required by this ordinance to be performed on or before a particular date and the date falls on a Sunday or holiday, the act may be performed on the next business day with the same effect as if performed on the particular date.

SECTION 40. No act in all the proceedings for raising revenue by taxation is illegal on account of informality or because not completed within the required time.

SECTION 41. Whenever a power is granted to, or a duty imposed on, any person by any provision of this ordinance, it may be exercised or performed by any deputy or person authorized by him, unless it is expressly provided that it shall be exercised in person.

SECTION 42. The fiscal year shall begin January 1 and end December 31, provided, however, that the period beginning January 1, 1940, and ending December 31, 1941, shall, for all purposes connected with this ordinance, be considered as one fiscal year and may sometimes herein be referred to as the "fiscal year 1940-1941".

I. ASSESSMENT**CHAPTER 1. Taxable and Exempt Property**

SECTION 43. All property in this city, not exempt from city taxation under the laws of the United States or of this state, is subject to taxation.

SECTION 44. Except in the case of publicly owned property, tax exempt property shall be included in the property statement and the exception claimed by affidavit of the person claiming exemption. The affidavit shall contain such information relating to the exemption as is required by the assessor.

SECTION 45. If any person claim-

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ing an exemption fails to follow the required procedure, the property may be treated as if the exemption did not exist.

CHAPTER 2. General Requirements

SECTION 46. All taxable property assessed by the city assessor shall be assessed at full cash value.

SECTION 47. Land shall be legally described for tax purposes in any manner sufficient to identify it.

SECTION 48. Cultivated and uncultivated land of the same quality and similarly situated shall be assessed at the same value.

SECTION 49. Annually, between the lien date and July 1, the assessor shall ascertain all the taxable property in the city, except state assessed property and intangible personal property, and shall assess it to the persons owning, claiming, possessing, or controlling it on the lien date.

SECTION 50. The assessor and his sureties are liable for all taxes on property which is unassessed through his wilful failure or inexcusable neglect.

SECTION 51. Tax sold property shall be assessed as though not sold to the city.

CHAPTER 3. Information from Taxpayer

SECTION 52. The assessor shall exact from each person a written property statement, under oath.

SECTION 53. The property statement shall show all taxable property in the city owned, claimed, possessed, or controlled by:

(a) The person making the statement.

(b) Any firm of which he is a member.

(c) Any corporation of which he is president, secretary, cashier, or managing agent.

Whenever one member of a firm, or one of the proper officers of a corporation, has made a statement showing the property of the firm or corporation, another member or officer need not include the property in his statement; but his statement shall show the name of the person making the statement which includes the property. He shall furnish any required information or records to the assessor for examination at any time.

SECTION 54. The property statement shall also show:

(a) Legal description of all real estate.

(b) An exact description and the location of personal property.

SECTION 55. The property statement shall show all information as of the lien date.

SECTION 56. The assessor may fill out the statement when he presents it, or he may leave it and require that it be filled out and returned to him within an appointed time.

SECTION 57. Every person shall file the property statement between the first Monday in March and June 24, annually, and within such time as the assessor may appoint. As required by the assessor, at any time, every person shall furnish information or records for examination.

SECTION 58. Failure of the assessor to demand or secure the property statement does not render any assessment invalid.

SECTION 59. All information furnished in the property statement shall be held secret by the assessor. The statement is not a public document and is not open to public inspection.

SECTION 60. The assessor may require any person found in the city to make and subscribe an affidavit, showing his name, place of residence or place of business, and whether he is the owner of any taxable property in the city.

SECTION 61. The assessor may subpoena and examine any person in relation to:

(a) Any statement furnished him, or

(b) Any statement disclosing property assessable in the city that may be stored with, possessed, or controlled by the person.

SECTION 62. Every person who wilfully states anything which he knows to be false in any oral or written statement, not under oath, required or authorized to be made for the basis of imposing any tax or assessment, is guilty of a misdemeanor.

SECTION 63. Every person is guilty of a misdemeanor who, after proper demand by the assessor, does any of the following:

(a) Refuses to give the assessor a list of his taxable property.

(b) Refuses to swear to the list.

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(c) Gives a false name.

(d) Fraudulently refuses to give his true name.

CHAPTER 4.**Property Escaping Assessment**

SECTION 64. If any property has escaped assessment and is owned or controlled by the same person who owned or controlled it for the year for which it escaped assessment, the assessor shall assess the property at its value on the lien date for every such year.

SECTION 65. Any property wilfully concealed, removed, transferred, or misrepresented by the owner or his agent to evade taxation, shall be penalty assessed on discovery at not exceeding ten times its value. This assessment shall be marked "penal assessment" and shall not be reduced by the city board of equalization.

SECTION 66. When the property is discovered during an assessment period, the assessment shall be entered only on the roll being prepared.

SECTION 67. When the property is discovered outside an assessment period, the assessment shall be entered on the roll prepared in the next succeeding assessment period.

In addition, if the property belongs on the unsecured roll, the assessor shall notify the auditor of the valuation. The auditor shall immediately place the property on the roll on which taxes are being collected. If the taxes and penalties due are collected before the next assessment period, it need not be placed on the succeeding roll.

SECTION 68. The entry of the assessment shall be followed with "Escaped assessment for year 19—".

SECTION 69. Property escaping assessment shall be treated like property regularly assessed on the roll on which it is entered.

SECTION 70. The assessor shall not, without the taxpayer's written permission, assess property for the year in which it escaped assessment after the end of the second assessment period succeeding the assessment period for the year in which it escaped assessment.

CHAPTER 5. Assessment Roll

SECTION 71. The assessor shall prepare an assessment roll in which shall be listed all property within the city which it is the assessor's duty to assess.

SECTION 72. This local roll shall separately show:

(a) The name and address, if known, of the assessee.

(b) Description of the property.

(c) All possessory interests and personal property, showing the number, kind, amount, and quality. A failure to enumerate personal property in detail does not invalidate the assessment.

(d) The cash value of real estate, except improvements.

(e) The cash value of improvements assessed to the owner of the land.

(f) The cash value of improvements assessed to any person other than the owner of the land.

(g) The cash value of money.

(h) The cash value of all other personal property.

(i) The revenue district in which each piece of property assessed is situated as of February 1, next preceding the lien date.

(j) The total value of all property assessed.

SECTION 73. When any tract of land is situated in two or more revenue districts, the part in each district shall be separately assessed.

SECTION 74. Land and improvements thereon shall be separately assessed.

SECTION 75. Improvements shall be assessed by showing their value opposite the description of the land on which they are located.

SECTION 76. Taxable improvements on land exempt from taxation shall be shown like other real estate on the roll. Value shall not be assessed against the exempt land and the land does not become responsible for the assessment made against the taxable improvements.

SECTION 77. Land once described on the roll need not be described a second time, but any person, claiming and desiring to be assessed for it, may have his name inserted with that of the assessee.

SECTION 78. If the name of an absent owner is known to the assessor, or if it appears of record in the office of the city clerk, the property shall be assessed to it; otherwise, the property shall be assessed to unknown owners.

SECTION 79. When a person is assessed as agent, trustee, bailee,

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guardian, executor, or administrator, his representative designation shall be added to his name, and the assessment entered separately from his individual assessment.

SECTION 80. The undistributed or unpartitioned property of deceased persons may be assessed to the heirs, guardians, executors, or administrators.

SECTION 81. Property in litigation in possession of a county or city treasurer, court, county or city clerk, or receiver shall be assessed to the officer in possession.

SECTION 82. No mistake in the name of the owner or supposed owner of real estate renders invalid an assessment or any subsequent step to and including the deed to the city.

SECTION 83. After each assessment of tax sold property the assessor shall enter on the roll the fact that it has been sold for taxes and the date of the sale.

SECTION 84. Whenever property, which has been deeded to the city for taxes and is not on the current roll, is sold to a private purchaser, the property shall not be entered on the current roll but shall be assessed on the succeeding roll whether the lien date for the succeeding roll has passed or not.

SECTION 85. The assessor shall prepare an index to the local roll, showing the name of the taxpayer and each page where his assessment appears or each assessment number under which his assessment appears.

SECTION 86. On or before July 1, annually, the assessor shall complete the local roll. He shall make an affidavit on the local roll that:

(a) He has diligently attempted to ascertain all taxable property in the city subject to assessment by him.

(b) All property has been assessed on the roll according to his best judgment, information, and belief at its cash value.

(c) That he has not maliciously imposed an unjust assessment.

(d) That he has not intentionally allowed any one to escape a just assessment.

(e) That he has complied with all duties imposed on the assessor by law.

Failure to make this affidavit, or any affidavit, does not affect the validity of the assessment.

The assessor may require from any of his deputies an affidavit on the roll similar to his own.

SECTION 87. On or before the first day of July, annually, the assessor shall deliver the local roll, map books, and statements to the city clerk, who is ex-officio clerk of the city board of equalization.

II. EQUALIZATION**CHAPTER 1. Generally.**

SECTION 88. At least five days before the first regular Council meeting in July the Clerk shall give notice, by one publication, of the time the City Board of Equalization will meet to equalize assessments.

SECTION 89. Until the equalization is finished, the local roll and map books shall remain in the clerk's office for the inspection of all persons interested.

SECTION 90. Annually, at the time of the first regular meeting in July, the City Council shall meet as the City Board of Equalization to examine the local roll and equalize the assessment of property in the city. It shall continue in session for that purpose, from time to time, until the business of equalization is disposed of, but not longer than fifteen days.

SECTION 91. On request of the assessor or any assessee, the city council shall sit as the city board of equalization, at the time of the first regular meeting in each month, to equalize valuations made by the assessor during the preceding month, if outside the assessment period.

SECTION 92. After giving notice as prescribed by its rules, the city board of equalization may increase or lower any assessment on the local roll in order to equalize the assessment of property in the city.

SECTION 93. A reduction in an assessment shall be made only under at least one of the following conditions:

(a) The party affected or his agent makes and files with the city board of equalization a verified, written application for reduction, showing the facts claimed to require the reduction.

(b) The reduction is recommended in writing by the assessor.

SECTION 94. Before the city board of equalization makes any reduction on application of the person affected or his agent, it shall examine, on oath, the person affected or

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the agent making the application touching the value of the property. A reduction shall not be made unless the person or agent attends and answers all questions pertinent to the inquiry.

SECTION 95. On the hearing of the application, the board may subpoena witnesses and take evidence in relation to the inquiry.

SECTION 96. During the session of the city board of equalization, the assessor and any deputy whose testimony is needed shall be present and may make any statement or produce evidence on matters before the board.

SECTION 97. After five days succeeding the time when notice of the date when the matter will be investigated is sent by

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(Continued from page Fourteen)
The County Jail of Monterey
 County for not more than three (3) months, or by both such fine and imprisonment; and every day during any portion of which any of the provisions of this ordinance shall be violated, or during which there shall be a failure, neglect or refusal to comply with any of said provisions, shall constitute a separate misdemeanor, and shall be punishable as herein provided.

Section 2. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its final passage and approval.

Section 4. The City Clerk of the City of Carmel-by-the-Sea is hereby instructed to cause this ordinance to be published once in the Carmel Pine Cone, the official newspaper of said City, within fifteen (15) days after its final passage and approval.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 24th day of January, 1940, by the following vote:

AYES: COUNCILMEN: Heron, Kellogg, Watrous, Smith, Rountree.
 NOES: COUNCILMEN: None.
 ABSENT: COUNCILMEN: None.

Approved January 24, 1940.

HERBERT HERON,

Mayor of said City.

ATTEST:

SAIDEE VAN BROWER,

City Clerk thereof.

(SEAL)

I, the undersigned Clerk of the City of Carmel-by-the-Sea and Ex-Officio Clerk of the Council of said City:

Do hereby certify: That the foregoing Ordinance is a true and correct copy of Ordinance No. 227 which was introduced at a regular meeting of the Council held on the 3rd day of January, 1940:

Passed and adopted at an adjourned regular meeting of said Council on the 24th day of January, 1940:

I further certify that said Ordinance was thereupon signed by Herbert Heron, Mayor of said City.

ATTEST:

SAIDEE VAN BROWER,

City Clerk thereof.

ORDINANCE NO. 228

AN ORDINANCE REPEALING ORDINANCES NOS. 10, 12, 16, 18, 19, 20, 21, 25, 27, 31, 32, 36, 38, 54, 56, 66, 67, 68, 70, 71, 75, 76, 77, 94, 106, 120, 122, 124, 131, 132, 133, 155, 159, 162, 171, 189, 194 OF THE CITY OF CARMEL-BY-THE-SEA AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES OF SAID CITY IN CONFLICT WITH THIS ORDINANCE.

THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES ORDAIN AS FOLLOWS:

Section 1. The following ordinances of the City of Carmel-by-the-Sea are hereby repealed:

Ordinance No. 10 of said City, entitled, "An Ordinance Regulating the Use of Sidewalks in the City of Carmel-by-the-Sea", passed and adopted by the City Council of said City on the 7th day of August, 1917;

Ordinance No. 12 of said City, entitled, "An Ordinance Providing for the Licensing, Registration and Impounding of Dogs, etc.", passed and adopted by the City Council of said City on the 3rd day of April, 1917;

Ordinance No. 16 of said City, entitled, "An Ordinance Amending Section No. 8 of Ordinance No. 12, entitled 'An Ordinance Providing for the Licensing, Registration and Impounding of Dogs, etc.'," passed and adopted by the City Council of said City on the 7th day of August, 1917;

Ordinance No. 18 of said City, entitled, "An Ordinance Creating and Organizing and Providing for a Board of Health and For the Appointment of a Health Officer, etc.", passed and adopted by the City Council of said City on the 7th day of November, 1917;

Ordinance No. 19 of said City, entitled, "An Ordinance of the City of Carmel-by-the-Sea Prescribing the Form and Manner of Giving Notice of General and Special Municipal Elections in the City of Carmel-by-the-Sea, etc.", passed and adopted by the City Council of said City on the 11th day of February, 1918;

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Ordinance No. 20, of said City, entitled, "An Ordinance to Amend Section 1 of Ordinance No. 4, entitled 'An Ordinance Fixing the Salaries of Certain Officers of the City of Carmel-by-the-Sea, etc.,'" passed and adopted by the City Council of said City on the 12th day of March, 1918;

Ordinance No. 21, of said City, entitled, "An Ordinance Prescribing Certain Duties of the City Clerk, etc.", passed and adopted by the City Council of said City on the 12th day of March, 1918;

Ordinance No. 25 of said City, entitled, "An Ordinance of the City of Carmel-by-the-Sea to Fix and Provide for the Collection of a Municipal License Tax on Certain Business, etc.", passed and adopted by the City Council of said City on the 15th day of May, 1919;

Ordinance No. 27 of said City, entitled, "An Ordinance Requiring Certain Common Carriers for Compensation to Furnish and File Bonds, etc.", passed and adopted by the City Council of said City on the 6th day of January, 1920;

Ordinance No. 31 of said City, entitled, "An Ordinance to Amend Ordinance No. 25, entitled, 'An Ordinance of the City of Carmel-by-the-Sea to Fix and Provide for the Collection of a Municipal License Tax on Certain Business, etc.,'" passed and adopted by the City Council of said City on the 17th day of June, 1930;

Ordinance No. 120 of said City, entitled, "An Ordinance to Amend Section 3 of Ordinance No. 94 of the City of Carmel-by-the-Sea, entitled: 'An Ordinance Creating the Office of Deputy City Clerk, etc.,'" passed and adopted by the City Council of said City on the 17th day of June, 1930;

Ordinance No. 122 of said City, entitled, "An Ordinance to Amend Sections 56 and 70 of Ordinance No. 54 of the City of Carmel-by-the-Sea, entitled: 'An Ordinance Providing for Licensing and Regulating the Carrying on of Certain Businesses, etc.,'" passed and adopted by the City Council of said City on the 16th day of March, 1932;

Ordinance No. 124 of said City, entitled, "An Ordinance to Amend Ordinance No. 54 of the City of Carmel-by-the-Sea, entitled, 'An Ordinance Providing for Licensing and Regulating the Carrying on of Certain Businesses, etc.,'" passed and adopted by the City Council of said City on the 1st day of June, 1932;

Ordinance No. 126 of said City, entitled, "An Ordinance to Amend Ordinance No. 54 of the City of Carmel-by-the-Sea, entitled, 'An Ordinance Providing for Licensing and Regulating the Carrying on of Certain Businesses, etc.,'" passed and adopted by the City Council of said City on the 20th day of July, 1932;

Ordinance No. 131 of said City, entitled, "An Ordinance to Amend Sections 49 and 56 of Ordinance No. 54 of the City of Carmel-by-the-Sea entitled: 'An Ordinance Providing for Licensing and Regulating the Carrying on of Certain Businesses, etc.,'" passed and adopted by the City Council of said City on the 5th day of April, 1933;

Ordinance No. 132 of said City, entitled, "An Ordinance to Amend Section 2 of Ordinance No. 76 of the City of Carmel-by-the-Sea entitled, 'An Ordinance Prohibiting the Manufacture, Transportation, Sale or Possession, of Intoxicating Liquor, etc.,'" passed and adopted by the City Council of said City on the 22d day of January, 1933;

Ordinance No. 133 of said City, entitled, "An Ordinance Regulating the Manufacture, Transportation, Sale or Possession, of Alcoholic Liquor as herein defined," etc.," passed and adopted by the City Council of said City on the 23d day of May, 1933;

Ordinance No. 155 of said City, entitled, "An Ordinance Creating the Office of City Inspector, etc.," passed and adopted by the City Council of said City on the 7th day of August, 1935;

Ordinance No. 159 of said City, entitled, "An Ordinance to Amend Sections 5 and 6 of Ordinance No. 67 of the City of Carmel-by-the-Sea, entitled, 'An Ordinance Regulating the Making and Refilling of Excavations in and Under any Street, etc.,'" passed and adopted by the City Council of said City on the 2nd day of October, 1935;

Ordinance No. 162 of said City, entitled, "An Ordinance to Regulate Certain Building Encroachments on or Over Public Property, etc.," passed and adopted by the City Council of said City on the 16th day of October, 1935;

Ordinance No. 171 of said City, entitled, "An Ordinance Prescribing the Closing Hours of Pool Rooms, Cigar Stores, etc.," passed and adopted by the City Council of said City on the 6th day of May, 1936;

Ordinance No. 189 of said City, entitled, "An Ordinance Amending Ordinance No. 186 of the City of Carmel-by-the-Sea, entitled, 'An Ordinance Regulating the Erection, Construction, Enlargement, Alteration, Repair, Moving, Removal, Demolition, Conversion, Occupancy, Equipment, Use, Height, Area and Maintenance of Buildings, etc.,'" passed and adopted by the City Council of said City on the 4th day of October, 1936;

Ordinance No. 76 of said City, entitled, "An Ordinance Prohibiting

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the Manufacture, Transportation, Sale or Possession of Intoxicating Liquor for Beverage Purposes, etc.," passed and adopted by the City Council of said City on the 28th day of February, 1927;

Ordinance No. 77 of said City, entitled, "An Ordinance to Amend Section 27 of Ordinance No. 54, of the City of Carmel-by-the-Sea, entitled, 'An Ordinance Providing for the Licensing and Regulating the Carrying on of Certain Businesses, etc.,'" passed and adopted by the City Council of said City on the 7th day of March, 1927;

Ordinance No. 94 of said City, entitled, "An Ordinance Creating the office of Deputy City Clerk, etc.," passed and adopted by the City Council of said City on the 4th day of February, 1929;

Ordinance No. 105 of said City, entitled, "An Ordinance to Amend Section 3 of Ordinance No. 94 of the City of Carmel-by-the-Sea, entitled: 'An Ordinance Creating the Office of Deputy City Clerk, etc.,'" passed and adopted by the City Council of said City on the 17th day of June, 1930;

Ordinance No. 120 of said City, entitled, "An Ordinance to Amend Section 23 of Ordinance No. 54 of the City of Carmel-by-the-Sea entitled: 'An Ordinance Providing for Licensing and Regulating the Carrying on of Certain Businesses, etc.,'" passed and adopted by the City Council of said City on the 16th day of March, 1932;

Ordinance No. 122 of said City, entitled, "An Ordinance to Amend Sections 56 and 70 of Ordinance No. 54 of the City of Carmel-by-the-Sea, entitled: 'An Ordinance Providing for Licensing and Regulating the Carrying on of Certain Businesses, etc.,'" passed and adopted by the City Council of said City on the 1st day of June, 1932;

Ordinance No. 124 of said City, entitled, "An Ordinance to Amend Ordinance No. 54 of the City of Carmel-by-the-Sea, entitled, 'An Ordinance Providing for Licensing and Regulating the Carrying on of Certain Businesses, etc.,'" passed and adopted by the City Council of said City on the 20th day of July, 1932;

Ordinance No. 131 of said City, entitled, "An Ordinance to Amend Sections 49 and 56 of Ordinance No. 54 of the City of Carmel-by-the-Sea entitled: 'An Ordinance Providing for Licensing and Regulating the Carrying on of Certain Businesses, etc.,'" passed and adopted by the City Council of said City on the 5th day of April, 1933;

Ordinance No. 132 of said City, entitled, "An Ordinance to Amend Section 2 of Ordinance No. 76 of the City of Carmel-by-the-Sea entitled, 'An Ordinance Prohibiting the Manufacture, Transportation, Sale or Possession, of Intoxicating Liquor, etc.,'" passed and adopted by the City Council of said City on the 22d day of January, 1933;

Ordinance No. 133 of said City, entitled, "An Ordinance Regulating the Manufacture, Transportation, Sale or Possession, of Alcoholic Liquor as herein defined," etc.," passed and adopted by the City Council of said City on the 23d day of May, 1933;

Ordinance No. 155 of said City, entitled, "An Ordinance Creating the Office of City Inspector, etc.," passed and adopted by the City Council of said City on the 7th day of August, 1935;

Ordinance No. 159 of said City, entitled, "An Ordinance to Amend Sections 5 and 6 of Ordinance No. 67 of the City of Carmel-by-the-Sea, entitled, 'An Ordinance Regulating the Making and Refilling of Excavations in and Under any Street, etc.,'" passed and adopted by the City Council of said City on the 2nd day of October, 1935;

Ordinance No. 162 of said City, entitled, "An Ordinance to Regulate Certain Building Encroachments on or Over Public Property, etc.," passed and adopted by the City Council of said City on the 16th day of October, 1935;

Ordinance No. 171 of said City, entitled, "An Ordinance Prescribing the Closing Hours of Pool Rooms, Cigar Stores, etc.," passed and adopted by the City Council of said City on the 6th day of May, 1936;

Ordinance No. 189 of said City, entitled, "An Ordinance Amending Ordinance No. 186 of the City of Carmel-by-the-Sea, entitled, 'An Ordinance Regulating the Erection, Construction, Enlargement, Alteration, Repair, Moving, Removal, Demolition, Conversion, Occupancy, Equipment, Use, Height, Area and Maintenance of Buildings, etc.,'" passed and adopted by the City Council of said City on the 4th day of October, 1936;

Ordinance No. 75 of said City, entitled, "An Ordinance Providing for the Posting of Any Placard, Sign or Notice . . . and the Distribution of Dodgers, etc.," passed and adopted by the City Council of said City on the 14th day of June, 1926;

Ordinance No. 71 of said City, entitled, "An Ordinance to Amend Ordinance No. 54 of the city of Carmel-by-the-Sea, entitled: 'An Ordinance Providing for Licensing and regulating the Carrying on of Certain Businesses, etc.,'" passed and adopted by the City Council of said City on the 19th day of July, 1926;

Ordinance No. 70 of said City, entitled, "An Ordinance Prohibiting

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and adopted by the City Council of said City on the 3rd day of November, 1937;

Ordinance No. 194 of said City, entitled, "An Ordinance Relating to the Location of Churches Within the City of Carmel-by-the-Sea", passed and adopted by the City Council of said City on the 4th day of May, 1938;

Section 2. All other ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its final passage and approval.

Section 4. The City Clerk of the City of Carmel-by-the-Sea is hereby instructed to cause this ordinance to be published once in the Carmel Pine Cone, the official newspaper of said City, within fifteen (15) days after its final passage and approval.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 24th day of January, 1940, by the following vote:

AYES: COUNCILMEN: Heron, Kellogg, Watrous, Smith, Rountree.
 NOES: COUNCILMEN: None.
 ABSENT: COUNCILMEN: None.

Approved January 24, 1940.

HERBERT HERON,

Mayor of said City.

ATTEST:

SAIDEE VAN BROWER,

City Clerk thereof.

(SEAL)

I, the undersigned Clerk of the City of Carmel-by-the-Sea and Ex-Officio Clerk of the Council of said City:

Do hereby certify: That the foregoing Ordinance is a true and correct copy of Ordinance No. 228 which was introduced at a regular meeting of the Council held on the 3rd day of January, 1940:

Passed and adopted at an adjourned regular meeting of said Council on the 24th day of January, 1940:

I further certify that said Ordinance was thereupon signed by Herbert Heron, Mayor of said City.

ATTEST:

SAIDEE VAN BROWER,

City Clerk thereof.

ORDINANCE NO. 229

AN ORDINANCE PROVIDING A SYSTEM FOR THE RAISING OF REVENUE BY TAXATION FOR THE CITY OF CARMEL-BY-THE-SEA: REPEALING ORDINANCES NO. 9, NO. 11, NO. 24, NO. 35, NO. 64, NO. 117, NO. 126, AND NO. 146 OF THE CITY OF CARMEL-BY-THE-SEA AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES ORDAIN AS FOLLOWS:

GENERAL PROVISIONS

SECTION 1. This ordinance establishes the law of this city respecting the subjects to which it relates.

SECTION 2. All persons who, at the time this ordinance goes into effect, hold office under any ordinance repealed by this ordinance, which offices are continued by this ordinance, continue to hold them according to their former tenure.

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then:

- Compute and enter in a separate column on the roll the respective sums in dollars and cents to be paid as a tax on the property included in each assessment.

(b) Place in other columns the respective amounts due in installments.

(c) Foot each column showing the totals.

Fractions of a cent equal to a half or greater shall be considered as a cent and fractions of less than a half shall be disregarded in computing the total tax or penalties on any assessment.

CHAPTER 2. Effect of Tax.

SECTION 108. Every tax is a personal obligation of the assessee.

SECTION 109. Every tax is a lien against the property assessed.

SECTION 110. Every tax on personal property is a lien on the real property of the owner thereof in this city.

SECTION 111. Every tax on improvements is a lien against the taxable land on which they are located, whether they are assessed to the landowner or to some other person.

SECTION 112. Every tax on an assessment of possessory interests is a lien on the other taxable real property of the owner in this city.

SECTION 113. All tax liens attach as of the lien date.

SECTION 114. All tax liens are paramount to all other liens.

SECTION 115. Except as otherwise provided in this chapter, the personal obligation is satisfied and the tax lien removed when, but not before,

(a) the tax is paid or legally cancelled, or,

(b) for nonpayment of any taxes, the property is sold to a private purchaser or deeded to the city.

SECTION 116. After thirty years succeeding the time, heretofore or hereafter, when any tax becomes a lien, if the lien has not been otherwise removed, the lien ceases to exist and the tax is conclusively presumed to be paid. The redemption officer shall mark the tax paid in the records.

IV. COLLECTION OF TAXES**CHAPTER 1. Medium of Payment.**

SECTION 117. Taxes shall be paid in no other medium than those provided in this chapter.

SECTION 118. Taxes may be paid in lawful money of the United States.

SECTION 119. A tax levied for a special purpose shall be paid in such funds as may be directed.

SECTION 120. As used in this chapter, "negotiable paper" means checks, drafts, and express and post office money orders.

SECTION 121. The assessor, tax collector, or treasurer may in his discretion accept negotiable paper in payment of any tax, assessment, or license.

SECTION 122. The acceptance of negotiable paper constitutes a payment of a tax, assessment, or license as of the date of acceptance when, but not before, the negotiable paper is duly paid.

SECTION 123. If any negotiable paper is not paid for any reason, any record of payments made on any official record because of its acceptance shall be cancelled, and the tax, assessment or license is a lien, as though no payment had been attempted.

The officer accepting negotiable paper shall make any memoranda necessary to enable him to make a proper cancellation on its return without payment.

SECTION 124. When a cancellation is made, the officer making it shall record it in a book kept by him for that purpose. He shall immediately send a notice to the person who attempted payment by the negotiable paper of the cancellation of the payment.

The validity of any tax, assessment, license, penalties, or costs is not affected by failure or irregularity in giving the notice.

CHAPTER 2. Collection Generally.

SECTION 125. On or before August 20 the auditor shall deliver the secured roll to the tax collector.

SECTION 126. The tax collector shall collect all property taxes except as otherwise expressly provided.

SECTION 127. On delivering the secured roll to the tax collector the auditor shall charge him with the taxes thereon.

SECTION 128. When property is placed on the roll after it has been delivered to the tax collector, the

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auditor shall immediately compute and enter the tax and other charges and make any necessary changes in his account with the tax collector.

SECTION 129. The following taxes are due October 1:

(a) All taxes on the secured roll, except taxes on real property other than possessory interests.

(b) The first half of taxes on real property other than possessory interests.

SECTION 130. The second half of taxes on real property, other than possessory interests, is due January 1.

SECTION 131. The entire tax on real property may be paid when the first installment is due.

SECTION 132. The tax collector may fix a date preceding the due date when payments may be made.

SECTION 133. On or before the day when taxes on the secured roll are payable the tax collector shall publish a notice specifying:

(a) The dates when taxes levied on the secured roll will be due.

(b) The times when these taxes will be delinquent.

(c) The penalties for delinquency.

(d) That all taxes may be paid when the first installment is due.

(e) The time and place at which payment may be made.

SECTION 134. The notice shall be published once.

SECTION 135. As soon as possible after receipt of the completed roll the tax collector shall mail a tax bill to each assessee whose address is shown on the roll.

The failure or neglect of the tax collector to send the tax bill or any similar notice, or the fact that the assessee did not receive the tax bill or any similar notice, does not affect the validity of any tax or any proceeding to enforce collection of a tax.

SECTION 136. The tax bill shall specify:

(a) The amount of the assessment.

(b) The amount of tax levied.

(c) The amount of each installment.

(d) The beginning and end of the fiscal year for which the tax is levied.

(e) The description of the property.

(f) A notice that if taxes are unpaid it will be necessary to pay penalties.

(g) The rates for computing delinquent penalties and redemption penalties.

SECTION 137. On the tax bill for tax sold property shall appear in writing the fact that it has been sold for taxes and the date of sale.

SECTION 138. All taxes shall be paid at the tax collector's office.

SECTION 139. The tax collector shall mark the fact and date of payment on the roll opposite the name of the assessee.

SECTION 140. The tax collector shall give the person making payment a receipt, written on the tax bill or a copy of the tax bill, specifying the amount of tax paid and the amount remaining unpaid.

SECTION 141. On the first Monday in each month the tax collector shall account to the auditor for all moneys collected. On the same day he shall file with the auditor a statement under oath, showing:

(a) An itemized account of all his transactions and his receipts since his last settlement, including the amount collected for each fund or district extended on the roll.

(b) That all money collected by him has been paid as required by law.

SECTION 142. All taxes due October 1, if unpaid, are delinquent November 5, at 5 p. m. and thereafter a delinquent penalty of 8% attaches to them. If these taxes are not paid before the second half of taxes on real property is delinquent, an additional delinquent penalty of 3% attaches to them.

SECTION 143. The second half of taxes on real property, if unpaid, is delinquent May 5, at 5 p. m. and thereafter a delinquent penalty of 3% attaches to it.

SECTION 144. If November 5, or May 5, falls on Saturday, the hour of delinquency is 12 M.

SECTION 145. After the second half of taxes on real property is delinquent, the tax collector shall collect as the cost of preparing the delinquent list one dollar on each assessment on the secured roll of:

(a) Real property, except possessory interests.

(b) Possessory interests.

(c) Personal property.

SECTION 146. After the first half

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of taxes on real property is delinquent, the tax collector shall compute and enter on the secured roll the delinquent penalties against all taxes not marked paid.

SECTION 147. Annually on November 20, the auditor shall start examination of the secured roll. Within ten days, he shall verify, and charge the tax collector with, the amount of delinquent penalties due on the secured roll.

SECTION 148. After the second half of taxes on real property is delinquent, the tax collector shall compute and enter on the secured roll the delinquent penalties and costs against all taxes not marked paid, and shall prepare a delinquent list. On numerical or alphabetical order, the delinquent list shall show the following information relating to each assessment of property, the taxes on which are delinquent:

(a) The assessee.

(b) The description of the property.

(c) The total amount due which is a lien on the property.

SECTION 149. Annually on May 20 the auditor shall start examination of the secured roll and shall compare it with the delinquent list. Within 10 days, he shall verify, and charge the tax collector with, the amount of delinquent penalties and costs not previously charged to the tax collector. He shall also correct and approve the delinquent list.

SECTION 150. Immediately after the time property is sold to the city for taxes the auditor shall administer an oath to the tax collector, to be written and subscribed on the roll, that all property on which taxes have been paid has been credited with such payment on the roll.

SECTION 151. The auditor shall then examine the secured roll and shall have a final settlement with the tax collector of all amounts charged against him on the secured roll. The tax collector shall deliver the treasurer's receipt to the auditor and shall immediately account for any deficiency. The secured roll shall then be placed in the permanent custody of the redemption officer.

SECTION 152. The roll or delinquent list, or a copy certified by the redemption officer, showing unpaid taxes against any property, is prima facie evidence of:

(a) The assessment.

(b) The property assessed.

(c) The delinquency.

(d) The amount due and unpaid.

(e) Compliance with all forms of law relating to assessment and levy of the taxes.

SECTION 153. If the tax collector refuses or neglects for five days to make payments or settlements as required by this ordinance, he is liable for the full amount charged on the roll.

The city attorney shall bring suit against the tax collector and his sureties for this amount. After the suit is commenced no credit shall be made to the tax collector for taxes outstanding.

CHAPTER 3. Collection on Part of an Assessment

SECTION 154. As used in this chapter, "parcel" includes an undivided interest in real property. For purposes of this chapter, improvements are not a "parcel" separate from the land on which they are situated.

SECTION 155. The tax on any parcel of real property, except possessory interests, contained in an assessment and having a separate valuation on the roll may be paid separately from the whole assessment by paying the amount which bears the same proportion to all taxes which are a lien on the whole assessment as the valuation of this parcel bears to the valuation of all real property, except possessory interests, in the assessment.

SECTION 156. On such payment, the tax collector shall make an entry on the roll opposite the assessment showing:

(a) The property released from lien by separate payment of taxes.

(b) The amount of taxes paid.

(c) The value of the remainder of the assessment.

(d) The balance payable on the assessment.

SECTION 157. Any person showing evidence by a deed, deed of trust, mortgage, or decree of court, of an interest in any parcel of real property, except possessory interests, which does not have a separate valuation on the roll, and who is not the owner or contract purchaser of the entire piece separately assessed, may apply to the officer having cus-

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tody of the roll to have the parcel separately valued on the roll for the purpose of paying current taxes.

SECTION 158. The application shall be made after taxes are payable, before any payment of taxes has been made on the property, and before the last installment becomes delinquent.

SECTION 159. The application shall be accompanied by an affidavit of interest and a fee of fifty cents for each parcel to be separately valued.

SECTION 160. The assessor shall describe and place a separate valuation on each of the parcels. The sum of the valuations of the parcels shall equal their total valuation before separation. A separate valuation shall not be made of any parcel covered by a new subdivision map filed after the lien date.

SECTION 161. The assessor shall transmit the valuations to the officer having custody of the roll. This officer shall enter the descriptions and separate valuations on the roll as part of the original assessment.

CHAPTER 4. Collection on the Unsecured Roll

SECTION 162. Taxes levied on the unsecured roll are due on the lien date or next after which lien date the property is assessed.

SECTION 163. The assessor shall collect taxes on the unsecured roll until and including July 31. Thereafter, they shall be collected by the tax collector.

SECTION 164. The tax rate to be used in collecting the taxes on the unsecured roll is the rate last fixed before the taxes became due.

SECTION 165. The assessor shall deposit all money collected under this chapter in the same manner as money collected by the tax collector is required to be deposited.

SECTION 166. As soon as practicable after July 31 the assessor shall deliver the unsecured roll to the tax collector.

SECTION 167. As soon as practicable after July 31, and before September 1, the auditor shall charge the tax collector with the taxes on the unsecured roll which it is his duty to collect.

SECTION 168. The fact and date of payment on the unsecured roll shall be marked opposite the name of the assessee.

SECTION 169. Taxes on the unsecured roll may be collected by seizure and sale of any of the following property belonging or ascribed to the assessee:

(a) Personal property.

(b) Possessory interests.

SECTION 170. A record shall be kept of the property seized and sold.

SECTION 171. The sale shall be at public auction. A sufficient amount of the property shall be sold to pay the taxes, penalties, and costs of seizure and sale.

SECTION 172. Notice of the time and place of sale shall be published once at least one week before the sale.

SECTION 173. On payment of the price bid for property sold, delivery of the property with a bill of sale vests title in the purchaser.

SECTION 174. The owner of the property or his successor in interest is entitled to a refund of any excess in the proceeds of the sale over the taxes, penalties, and costs in the same manner as an overpayment of tax is refunded. If not claimed within three years after the sale, this excess belongs to the city and shall be placed in the general fund.

SECTION 175. The unsold portion of any property may be left at the place of sale at the risk of the owner.

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at public auction, the tax collector shall mail to the last assessee either a copy of the publication or a notice of sale.

SECTION 191. The mailed notice of sale shall show:

(a) That the property will be offered for sale at public auction unless redeemed.

(b) The year of sale to the city and the name of the assessee in that year.

(c) The time and place of the sale at public auction.

(d) The description of the particular property.

(e) When redemption may be made.

(f) The official who will furnish all information concerning redemption.

CHAPTER 2. Sale by Operation of Law.

SECTION 192. Not less than 21 or more than 28 days after the first publication of the delinquent list, at the time fixed in the publication, the real property on which all taxes, penalties and costs have not been paid, except tax sold property and possessory interests, shall by operation of law and the declaration of the tax collector be sold to the city. The sale shall be in the tax collector's office.

SECTION 193. Until the time of sale, the owner or person in possession of any property in the delinquent list may pay the amount due.

SECTION 194. If the tax collector discovers before the sale that because of any error the property should not be sold, he shall not mark it sold to the city but shall notify the assessor. The property shall then be treated like property which escaped assessment for the year for which it was to be sold.

SECTION 195. In appropriate columns on the roll, opposite each parcel sold, the tax collector shall enter the fact and date of sale and the amount for which the property was sold.

SECTION 196. Every person who does any act tending permanently to impair the value of tax sold or tax deeded property is:

(a) Liable for any damages sustained by the city because of his act.

(b) If the act was done with intent to defraud the city, guilty of a misdemeanor.

SECTION 197. Within 30 days after the sale by operation of law, the tax collector shall furnish the auditor with a list in writing of the property sold. The auditor shall enter on the current roll opposite the description of the property the fact and date of sale.

SECTION 198. The auditor shall transmit the list of property sold to the assessor who shall enter on his records the fact and date of sale.

SECTION 199. If the original sale to the city is ever cancelled or held void the property shall be treated for all purposes as if sold to the city in the next subsequent year for which it would have been validly sold to the city if it had not been tax sold property.

CHAPTER 3. Sale to Private Parties Before Deed to the City

SECTION 200. Not less than 21 nor more than 28 days after the first publication of the notice of sale of tax sold property, and at least five years after the property was sold to the city, the tax collector shall, as prescribed in this chapter, sell at public auction to the highest bidder for cash all tax sold property which was sold to the city in the fifth preceding calendar year or any year prior thereto. The sale shall begin at the time given in the published notice of sale and shall continue from day to day thereafter if additional time is needed to complete the sale. The sale shall be in the tax collector's office.

SECTION 201. No bid shall be accepted at a sale under this chapter for a sum less than the amount for which the property was sold to the city.

SECTION 202. After a bid has been accepted, the right of redemption ceases except as to the purchaser. The purchaser shall pay the amount bid immediately and redeem the property within thirty days. If he does not redeem, the amount bid and paid is forfeited. On redemption, he shall receive credit for that portion of his bid equal to the amount for which the property was sold to the city. The sale is not completed until the redemption is made.

SECTION 203. In completion of the sale, the tax collector shall, with-

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out charge, forthwith execute a deed, duly acknowledged or proved, conveying the property to the purchaser or his assigns.

SECTION 204. In addition to the usual provisions of a deed conveying real property, the deed shall specify:

(a) The year of sale to the city.

(b) That, for the year of sale to the city, the property was duly assessed and the tax legally levied.

(c) The assessee in the year of sale to the city.

(d) The name of the purchaser at this tax sale and the fact and date that the property was sold to him for nonpayment of delinquent taxes which were a lien on the property.

(e) The amount for which the property was sold to the purchaser.

(f) That the property has been redeemed.

(g) That the property is therefore conveyed to the purchaser according to law.

SECTION 205. This deed, duly acknowledged or proved, is prima facie evidence and conclusive evidence of the same facts as a deed to the city for taxes and conveys the title which the city had.

CHAPTER 4. Deed to the City.

SECTION 206. If the sale of any tax sold property at public auction is not completed, the tax collector shall forthwith execute a deed, duly acknowledged or proved, conveying the property to the city.

SECTION 207. In addition to the usual provisions of a deed conveying real property, the deed shall specify:

(a) The date of sale to the city.

(b) That, for the year of sale to the city, the property was duly assessed and the tax legally levied.

(c) The assessee in the year of sale to the city.

(d) The amount for which the property was sold.

(e) That five years have elapsed since the sale to the city and the property has not been redeemed.

(f) That the property is therefore conveyed to the city according to law.

SECTION 208. The deed to the city shall be recorded with the county recorder and shall thereafter be filed in the city clerk's office.

SECTION 209. The execution of the deed terminates the right of redemption.

SECTION 210. Where property was deeded to the city before this ordinance took effect and the deed did not terminate the right of redemption, the right of redemption shall be terminated as prescribed by this section.

The tax collector shall give the redemptioner notice that his right to redeem will be terminated at the end of the minimum time allowable under the law in force at the time the property was sold to the city. At the end of this period of time, if the property has not been redeemed, the right of redemption is terminated.

The notice shall be given in the same manner that notice was required to be given before the right of redemption could be terminated under the law in force when the property was sold to the city for taxes. If no notice was so required, none need be given under this section.

SECTION 211. The deed conveys to the city the absolute title to the property, free of all encumbrances.

CHAPTER 5. Renting Tax Deeded Property.

SECTION 212. In the name of the city, the tax collector may rent tax deeded property and may collect all proceeds arising in any manner from the property.

SECTION 213. The tax collector may exact an accounting from any person of the proceeds from tax deeded property.

SECTION 214. The tax collector may demand and receive possession of tax deeded property and may maintain an action of unlawful detainer or of ejection in the name of the city against persons unlawfully on the property.

SECTION 215. In the name of the city, the tax collector may do all things relating to renting and receiving the proceeds of tax deeded property that an absolute owner may do.

SECTION 216. All leases shall contain a clause that if the tax deed is declared void the lessee is entitled only to refund of the unearned portion of the rental paid, with no further damages. The refund shall be made in the same manner as an over-payment of tax is refunded.

SECTION 217. The tax collector may remove or permit the removal

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of any structure or fixture which becomes a public nuisance on receipt of written notice of condemnation from the proper authority.

SECTION 218. On the approval of the city council, the tax collector may make investigation and appraisal by competent appraisers of tax deeded property and for this purpose may employ any necessary assistance. A report of the information resulting from the investigation and appraisal shall be filed with the city council.

SECTION 219. All moneys received under this chapter shall be deposited in the general fund.

CHAPTER 6. Sale to Private Parties of Tax Deeded Property

SECTION 220. The procedure to sell tax deeded property is as provided in this chapter.

SECTION 221. Any person may apply in writing to the tax collector to purchase tax deeded property, tendering the amount bid.

SECTION 222. The application shall describe the property and shall be accompanied by a sum sufficient to defray the costs of advertising and conducting the sale. If the applicant fails to secure the property on his bid, this sum shall be returned to him and these costs shall be collected from the successful bidder. In either event, this sum is a credit on the amount bid.

SECTION 223. At any time without application the tax collector may, and on application under this chapter the tax collector shall, transmit a notice in writing to the city council of his intent to sell tax deeded property.

SECTION 224. The notice of intent shall specify:

(a) A description of the property.

(b) A detailed statement of the amount that was needed for redemption just before deed to the city.

(c) The minimum price at which it is proposed to sell the property at public auction.

(d) The time and place of sale.

(e) That the sale is to be for cash.

SECTION 225. The minimum price for each parcel shall be sufficient to cover the required costs of advertising and conducting the sale, unless otherwise authorized by the city council.

SECTION 226. The city council shall by resolution approve, reject, or change the conditions for the proposed sale and shall transmit a certified copy of the resolution to the tax collector.

SECTION 227. On receipt of the resolution, if it allows a sale, the tax collector shall publish notice of the intended sale once in a newspaper published in the city. The notice shall contain the same facts as the notice of intent transmitted to the city council. A copy of the notice shall also be mailed to the last assessee of the property and to the governing board of every taxing agency having unpaid taxes which are a lien on the property. The first publication shall be completed at least 21 days before the sale.

SECTION 228. The tax collector may publish additional notice of the sale in a newspaper or otherwise but the cost of this additional notice is not a required cost to be included in the minimum price.

SECTION 229. At the time and place specified, the tax collector shall sell the property at public auction to the highest bidder. No bid shall be accepted for less than the specified minimum price.

SECTION 230. All bids shall be for cash or on the terms specified by the city council.

SECTION 231. On receipt of the full purchase price, the tax collector shall, without charge, execute a deed, duly acknowledged or proved, conveying the property to the purchaser or his assigns.

SECTION 232. In addition to the usual provisions of a deed conveying real property, the deed shall specify:

(a) That the property was duly sold and conveyed to the city for non-payment of taxes.

(b) That the taxes for which it was sold to the city were legally levied and were a lien on the property.

(c) That the property was sold at public auction to the highest bidder.

(d) That the grantee became the purchaser at this sale and the amount for which the property was sold to him.

(e) That the property is therefore

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conveyed to the purchaser according to law.

SECTION 233. This deed, duly acknowledged or proved, is prima facie evidence and conclusive evidence of the same facts as the deed to the city for taxes and conveys the title which the city had.

SECTION 234. Within ten days after executing a deed under this chapter, the tax collector shall transmit to the county recorder and city assessor a report, specifying:

(a) That the tax deeded property has been sold.

(b) The name of the grantee in the deed.

(c) The date of the deed.

(d) The amount for which the property was sold.

(e) The description of the property.

(f) The number and date of the tax deed to the city.

SECTION 235. If any other taxing agency has a tax lien on, or title to, tax deeded property, the tax collector may, with the approval of the city council, join with the other taxing agency in selling the tax deeded property in order to give the purchaser the rights of the other taxing agency as well as the city's title.

The city shall contract with the other taxing agency as to any matters not otherwise covered by law.

VI. REDEMPTION

CHAPTER 1. Redemption Generally

SECTION 236. Until the right of redemption is terminated, tax sold property may be redeemed by the owner or his successor in interest.

SECTION 237. The amount necessary to redeem is the sum of the following:

(a) The amount of sold taxes.

(b) The delinquent penalties and costs for the year of sale to the city.

(c) Redemption penalties.

SECTION 238. Redemption penalties are the sum of the following:

(a) One half of one per cent a month beginning July 1 of the year of sale to the city on the amount of sold taxes at the time of sale.

(b) One half of one per cent a month beginning July 1 of each subsequent year on the unpaid taxes for which the property would have been sold to the city in that year if there had not been a previous sale.

SECTION 239. Application to redeem shall be made to the redemption officer, who shall then prepare in triplicate estimates of the amount necessary to redeem.

SECTION 240. Payment of the amount necessary to redeem shall be made to the redemption officer and receipt shall be endorsed on each copy of the estimate. The redemption officer shall deliver one copy of the receipt to the redemptioner and one to the auditor. The auditor shall notify the assessor of the redemption.

SECTION 241. The city council shall by resolution approve, reject, or change the conditions for the proposed sale and shall transmit a certified copy of the resolution to the tax collector. A copy of the notice shall also be mailed to the last assessee of the property and to the governing board of every taxing agency having unpaid taxes which are a lien on the property. The first publication shall be completed at least 21 days before the sale.

SECTION 242. The tax collector may publish additional notice of the sale in a newspaper or otherwise but the cost of this additional notice is not a required cost to be included in the minimum price.

SECTION 243. At the time and place specified, the tax collector shall sell the property at public auction to the highest bidder. No bid shall be accepted for less than the specified minimum price.

SECTION 244. The amount of sold taxes on the parcel is the amount which bears the same proportion to the amount of sold taxes on the whole assessment as the valuation of this parcel bears to the valuation of all real property in the assessment.

SECTION 245. The amount necessary to redeem the parcel is the sum of the following:

(a) The amount of sold taxes on the parcel.

(b) Redemption penalties computed on the amount of sold taxes on the parcel.

(c) Delinquent penalties and costs for the year of sale to the city as if the parcel were the entire assessment.

SECTION 246. On such redemption, the redemption officer shall make an entry opposite the assessment on the roll on which the property was sold showing:

(a) The parcel released from lien

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by separate redemption.

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the unpaid taxes levied for the fund bear to the total delinquent penalties on the unpaid taxes on the property.

SECTION 261. (a) If the balance remaining is equal to or greater than the total interest and redemption penalties on all unpaid taxes on the property, there shall be distributed to each fund an amount equal to the interest and redemption penalties on the unpaid taxes levied for the fund.

(b) If the balance remaining is less than the total interest and redemption penalties on all unpaid taxes on the property, there shall be distributed to each fund an amount bearing the same proportion to the balance remaining as the interest and redemption penalties on the unpaid taxes levied for the fund bear to the total interest and redemption penalties on all unpaid taxes on the property.

SECTION 262. Any further amount shall be distributed pro rata among the city and revenue districts in the proportion which the unpaid taxes due the city and each revenue district bear to the total unpaid taxes on the property. The portion of this surplus due the city shall be distributed to the general fund.

VIII. REFUNDS AND CORRECTIONS

CHAPTER 1. Corrections Generally

SECTION 263. All or any portion of any tax, penalty, or costs, heretofore or hereafter levied, may be cancelled by the auditor on order of the city council with the written approval of the city attorney if it was levied:

(a) More than once.

(b) Erroneously or illegally.

(c) On a portion of an assessment in excess of the cash value of the property by reason of the assessor's clerical error.

(d) On improvements when the improvements did not exist on the lien date.

(e) On property acquired after the lien date by the state, county, city, or a district and because of this public ownership, exempt from further taxation when cancellation is requested, except when acquired by sale and deed for taxes.

Except in the case specified in subdivision (e), the correct amount due on the assessment shall be paid before the tax is cancelled.

SECTION 264. On discovery that any property is assessed more than once for the same year, after payment of all charges justly due on the property, the tax collector shall certify the facts to the auditor and city council. The other assessments and charges thereon shall be cancelled on the roll in the same manner that a tax may be cancelled.

SECTION 265. Errors in the roll or delinquent list or any tax proceeding may be corrected by the auditor with the written consent of the city attorney at any time after the assessment period and before the sale to the city for taxes.

SECTION 266. The consent of the city council is necessary to any change that will increase or decrease the amount of taxes due. If any change will increase the amount of taxes due, the city council shall give the assessee opportunity for a hearing after five days' notice. The city council's decision in the matter is final.

SECTION 267. The auditor shall:

- (a) Enter the date and nature of every correction on the roll.
- (b) File the written authority for the correction as a public record.
- (c) Make the necessary changes in his account with the tax collector.

SECTION 268. On order of the city council with consent of the city attorney, if all proceedings leading up to a sale or deed are correct, the tax collector may correct a misstatement of facts or clerical error in:

- (a) The entry of a sale to the city by new entry replacing the erroneous entry.
- (b) A tax deed by issuance of a new or amended deed.

As far as practicable, the new or amended tax deed shall be the same as the old one except where corrected.

SECTION 269. If tax sold property has been erroneously resold to the city or tax deeded property is erroneously resold or redeeded to the city, the tax collector may cancel the erroneous sale or deed on order of the city council with the consent of the city attorney.

SECTION 270. If the taxes on any property are entered on the roll as a lien on real property on which they are not legally a lien, the auditor shall certify the facts to the city

THE CARMEL PINE CONE

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council. On order of the city council, with consent of the city attorney, the auditor shall cancel the entry and shall re-enter it as follows:

(a) If the assessee has real property sufficient in the assessor's opinion to secure the taxes, as a lien on this real property.

(b) Where there is not sufficient real property to secure the taxes:

(1) If it is state assessed property, on the secured roll.

(2) In all other cases, on the unsecured roll.

SECTION 271. If any error is carried into any publication or mailing of notice, the amended publication or notice may be republished or mailed, or, in lieu thereof, notice of the correction may be given by publication or mailing.

SECTION 272. The new publication or mailing shall be in the same manner as the original.

SECTION 273. If any act is to be done within a specified time, after the original publication or mailing, the new publication or mailing shall specify the time when the act may be done. This time is whichever is the later of the following.

(a) The time originally specified.

(b) One week after the new publication or mailing.

SECTION 274. If property is sold or deeded to the city for taxes, and the taxes have been paid or were not legally a lien on the property, the sale and deed shall be cancelled by the auditor on order of the city council with written approval of the city attorney.

SECTION 275. If property is sold or deeded to the city for taxes and the tax or assessment is legally cancelled the city council shall order the auditor to cancel the sale and deed when the tax is cancelled.

SECTION 276. When a tax or sale or deed is legally cancelled the auditor shall make notation of the fact on the roll and shall notify the tax collector and assessor. When a deed is cancelled, the auditor shall also notify the county recorder of the fact.

CHAPTER 2. Refunds.

SECTION 277. On order of the city council, any taxes, penalties, or costs shall be refunded if they were:

(a) Paid more than once.

(b) Erroneously or illegally collected.

(c) Paid on an assessment in excess of the cash value of the property by reason of the assessor's clerical error.

(d) Paid on an erroneous assessment of improvements which did not exist on the lien date.

SECTION 278. Application for a refund shall be made within three years after payment was made.

SECTION 279. Application for refund shall be verified and may be made only by the person who made payment, his guardian, executor, administrator, or heir. Refund shall not be made to an assignee of the applicant.

SECTION 280. If the amount paid has been apportioned to any funds or revenue districts, the proper proportion of the refund shall be deducted from any amounts due each fund or revenue district.

SECTION 281. Any amount subject to refund for which application is not made within the time allowed shall be placed in the general fund.

SECTION 282. After taxes are payable, any assessee may pay the tax under protest. A payment under protest is not a voluntary payment.

SECTION 283. The protest shall be in writing, specifying:

(a) Whether the whole tax or assessment is claimed to be void or, if only a part, what portion.

(b) The grounds on which the claim is founded.

SECTION 284. Within six months after payment, action may be brought against the city to recover the tax paid under protest. The action may be brought only:

(a) As to the portion of the assessment claimed to be void.

(b) On the grounds specified in the protest.

(c) By the person making payment, his guardian, executor, administrator, or heir. Payment of a judgment against the city shall not be made to an assignee of the person bringing the action.

SECTION 285. If the amount paid under protest has been apportioned to any funds or revenue districts, the proper proportion of a judgment against the city shall be deducted from any amounts due each fund or revenue district.

CHAPTER 3. Transfer of Payments.

SECTION 286. If a person by mistake pays a tax on other than

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the property intended, and by substantial evidence convinces the tax collector that the payment was intended for another property, the tax collector may cancel the credit on the unintended property and transfer it to the property intended as prescribed in this article, at any time before the succeeding sale of property to the city.

SECTION 287. The person seeking the transfer shall sign and file with the tax collector an affidavit giving full details of the transaction.

If the transfer is made, the affidavit is a public record and reference to it shall be entered on the roll opposite the unintended property.

SECTION 288. The tax collector shall send a notice to the owner of the unintended property respecting the proposed transfer.

SECTION 289. The notice shall state that the owner of the unintended property may demand a hearing by the city council within five days after the notice is sent. If made, a copy of the demand shall be sent to the tax collector. The city council shall set a time for the hearing and its decision on the proposed transfer is final.

SECTION 290. If the amount paid is less than the amount due on the property intended, the balance of the amount due shall be paid before the transfer. If the amount paid is more than the amount due on the property intended, the applicant is entitled to a refund of the excess in the same manner as an overpayment of tax is refunded.

SECTION 291. If the delinquent list is ready for publication or has been published, the applicant shall pay the cost of advertising the unintended property. The unintended property shall then be advertised as if it were omitted from the delinquent list by clerical error, unless the taxes on the unintended property are immediately or previously paid.

CHAPTER 4. Jurisdictional Errors.

SECTION 292. If the collection of a delinquent tax cannot be enforced because of any jurisdictional error in the assessment of real property or in any subsequent step up to and including the termination of the right of redemption, the tax collector shall certify the facts to the auditor and city council.

SECTION 293. If any sale or deed for taxes is rendered invalid by the error, it shall be cancelled in the same manner that a tax may be cancelled.

SECTION 294. If any portion of the property was taxable for the year for which collection cannot be enforced and the tax is unpaid, the clerk shall send a notice to the last assessee of the property respecting the jurisdictional error.

SECTION 295. The notice shall state that the error will be corrected and the collection of the tax enforced unless cause is shown why such action should not be taken. The notice shall also state that the assessee may demand a hearing by the city council within ten days after the notice is sent. If demanded, the city council shall set a time for the hearing and its decision in the matter is final.

SECTION 296. The city council shall order the necessary steps taken to correct the error. The officials whose duty it was to perform the steps originally shall comply with this order.

SECTION 297. If an error is omission of or defect in publishing or sending any notice, the city council shall order the corrected notice to state the facts requiring the new notice and the time within which the taxpayer shall do any acts dependent on the notice.

SECTION 298. The property shall be entered on the roll and treated like property escaping assessment in the last preceding assessment period and discovered at the time the corrections are completed, except that:

(a) The assessment shall be the corrected assessment for each year for which the collection of delinquent taxes could not be enforced.

(b) The amount charged against the property before computation of the regular delinquent penalties on the roll on which it is entered shall be the corrected tax for each year for which the collection of delinquent taxes could not be enforced.

SECTION 299. There is no limit on the time within which an error may be corrected under this chapter.

CHAPTER 5. Refunds on Void Tax DEEDS

SECTION 300. The purchaser of the tax sold property or tax deeded property is entitled to a refund from

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the city of the amount paid as purchase price if:

(a) It is determined by final judgment of a court that the sale or deed of the property is void.

(b) It is determined by resolution of the city council that the property belongs to the United States, this state, or any city or political subdivision of this state and has been erroneously sold for taxes.

(c) The sale or deed is legally cancelled.

SECTION 301. The claim for refund shall be presented in the same manner as other claims against the city and within one year after the judgment becomes final or the resolution is passed. There shall be credited on the amount due the purchaser any portion of the purchase price repaid to him under any judgment of a court.

SECTION 302. Ordinance No. 9 of the City of Carmel-by-the-Sea, entitled, "An Ordinance Relating to the Fiscal Year of the City of Carmel-by-the-Sea," passed and adopted by the City Council of said City on the 6th day of February, 1917; Ordinance No. 11 of the City of Carmel-by-the-Sea, entitled, "An Ordinance Providing for the Assessment, Levy and Collection of Taxes, etc.," passed and adopted by the City Council of said City on the 13th day of February, 1917; Ordinance No. 24 of the City of Carmel-by-the-Sea, entitled, "An Ordinance to Amend Section 44 and Section 46 of Ordinance No. 11, entitled 'An Ordinance Providing for the Assessment, Levy and Collection of Taxes, etc.,'" passed and adopted by the City Council of said City on the 13th day of February, 1917; Ordinance No. 35 of the City of Carmel-by-the-Sea, entitled, "An Ordinance to Amend Section 44 of Ordinance No. 11, entitled 'An Ordinance Providing for the Assessment, Levy and Collection of Taxes, etc.,'" passed and adopted by the City Council of said City on the 13th day of February, 1917; Ordinance No. 117 of the City of Carmel-by-the-Sea, entitled, "An Ordinance to Amend Section 44 of Ordinance No. 11, entitled 'An Ordinance Providing for the Assessment, Levy and Collection of Taxes, etc.,'" passed and adopted by the City Council of said City on the 13th day of February, 1917; Ordinance No. 117 of the City of Carmel-by-the-Sea, entitled, "An Ordinance to Amend Section 44 of Ordinance No. 11, entitled 'An Ordinance Providing for the Assessment, Levy and Collection of Taxes, etc.,'" passed and adopted by the City Council of said City on the 13th day of February, 1917; Ordinance No. 117 of the City of Carmel-by-the-Sea, entitled, "An Ordinance to Amend Section 44 of Ordinance No. 11, entitled 'An Ordinance Providing for the Assessment, Levy and Collection of Taxes, etc.,'" passed and adopted by the City Council of said City on the 13th day of February, 1917; Ordinance No. 117 of the City of Carmel-by-the-Sea, entitled, "An Ordinance to Amend Section 44 of Ordinance No. 11, entitled 'An Ordinance Providing for the Assessment, Levy and Collection of Taxes, etc.,'" passed and adopted by the City Council of said City on the 13th day of February, 1917; 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Scientist Seeks Information on Footless Lizard

Carmel is a playground of great interest for a young scientist, according to Charles M. Miller, student associated with the Museum of Vertebrate Zoology of the University of California, who came down from Berkeley last week to gain more information on a local resident, the footless lizard.

Also known as the "blind worm," this reptile is said to be a rarity. The Monterey Peninsula, already known far and wide for its biological oddities, is also the native habitat of the black footless lizard. Living in sand dunes, this lizard "swims" under the sand, searching as food the larvae of beetles, also found in the sand, especially around lupins.

More information on the life habits of this unique lizard is sought by science, and Miller addresses the following to Pine Cone readers who may be able to help him in his researches:

The larger, or older lizards are dark brown to black on the back, and yellow beneath. The smaller ones are lighter, finely speckled with silver above, and pink to creamy yellow below. They are about three inches long when born, in the autumn, and grow to nearly 12 inches, and as big around as a lead pencil.

They are active in late afternoon and evening, leaving wavy tracks and grooves on the sand. Although they are most abundant in sand dunes, they have been seen in the highlands of the Monterey peninsula.

Surely many readers of the Carmel Pine Cone have found this interesting animal in their yards. Answers to the following questions would be appreciated sincerely by this student because the information gained would greatly aid in the investigation underway.

Where have you seen the lizard? What were the weather conditions at the time?

How deep in the ground was it? What was the nature of the ground?

Was the ground wet, moist, damp or dry?

What time of day was it? What was the time of year (date, if possible)?

How big was it? What was the lizard doing?

Please address: Charles M. Miller, Museum of Vertebrate Zoology, University of California, Berkeley, California.

READ THE WANT ADS

CHURCHES

Christian Science Services

First Church of Christ, Scientist, Carmel

Monte Verde Street, one block North of Ocean Avenue, between Fifth and Sixth Sunday School 9:30 a. m. Sunday Service 11 a. m.

Wednesday Evening Meeting 8 p. m. Reading Room Ocean Avenue, near Monte Verde Open Week Days 11 a. m. to 5 p. m. Open Every Evening Except Wednesdays and Sundays, 7 to 9 Public Cordially Invited.

All Saints Church Protestant Episcopal

"A House of Prayer for All People"

Monte Verde Street

South of Ocean Avenue

Rev. C. J. Hulsewe

SUNDAY SERVICES

8 a. m. Holy Communion

9:30 a. m., Church School

11 a. m. Morning Prayer

and sermon

Rev. Carel Hulsewe to Tell Carmel Forum of Youth Congress

"The Youth of the World" will be the topic of Rev. Carel J. Hulsewe at the next meeting of the Carmel Forum at Sunset auditorium next Thursday evening at 8 o'clock.

Rev. Hulsewe was in Europe at the time of the outbreak of the war and was a delegate last summer to the youth congress in London.

Ocean Currents Affects Climate of California

It is pretty generally known that the Pacific Ocean acts as a huge air-conditioning machine to manufacture California's famous climate, but why are there such striking differences in summer temperatures between Los Angeles and San Francisco?

Dr. Harald U. Sverdrup, director of the University of California's Scripps Institution of Oceanography, tells why women in Los Angeles can wear sheer dresses in summer while San Francisco women often bundle up in furs and woolens.

He points out that scientific investigations have shown marked differences in water temperatures off the shore of southern and northern California—the break coming in the Santa Barbara Channel.

"To the north of the Santa Barbara Channel the process of upwelling is important and water temperatures remain low towards the middle of summer," he declares. "But to the south summer temperatures of 10 degrees or more higher are found."

Dr. Sverdrup says that these differences in temperature of the sea water are due to currents. Along the coast of northern California and as far south as Point Conception, the currents flow in a generally southerly direction with much upwelling.

At Point Conception the waters leave the coast, make a huge circle and reach the southern California coast from the south. Having spent a long time on the surface, this water has attained a high temperature because of the heat of the sun.

"In winter, an inshore current flowing north along the coast appears to be present and in this season the contrast in temperature between sea water in southern and northern California disappears," Dr. Sverdrup explains.

Natural history of the Pacific Coast is dealt with in this column. Contributions will be gratefully received.

SAN LUIS OBISPO POLY MAY GRANT B. SC. DEGREE

The proposal now before the state board of education to add one year of work to the curricula of the California State Polytechnic School at San Luis Obispo, and to award graduates of the four-year program the bachelor of science degree, vitally affects 130 students now attending the state technical college from cities and farms in the South Coast counties alone, state school authorities declare.

The college plans to continue the two-year and three-year curricula leading directly to employment not requiring a degree; and to continue for all levels of instruction the project method of "learning by doing" which has made the state technical institute unique in the nation.

HIGHLANDS SERVICE STATION SUFFERS BLAZE

Tools and equipment were damaged and all windows broken in a fire at the Richfield service station at Carmel Highlands this week, for which a defective electric motor was blamed. A. T. Skerry, Jr., Highlands fire district trustee, praised Highlands firemen under Chief John Easton for handling the blaze brought under control with foamite. Bob Siebe is the station operator.

Classified Advertising

Rate: 10 cents per line for one insertion (minimum 50 cents)
15 cents per line for two insertions (minimum 75 cents)
25 cents per line for one month (minimum \$1.25)

Estimate five words to the line

Real Estate

FOR SALE or yearly lease—unfurnished large house in Hatton Fields. On sale, will take smaller house in part payment. Write Box 1282 or phone 768 for information. (5-6-7-8)

FOR SALE — 5-bedroom furnished house; 3 bathrooms on San Antonio, never before offered for sale. May now be bought for \$9000 on terms.

GLADYS KINGSLAND DIXON
Carmel 940 Ocean Ave. near Dolores

Catalina Island Is Much Older Than Neighbors

Catalina Island, 20 miles off southern California, may be 30,000,000 years older as a land area than other islands of the channel group or parts of the coastal mainland itself.

Such is the theory advanced by Dr. Francis P. Shepard of the Scripps Institution of Oceanography, Dr. U. S. Grant of the University of California at Los Angeles, and R. S. Dietz of the University of Illinois, after making a geological study of the island. It disputes a former theory which claimed that Catalina Island was the same age as others in the channel group.

The former theory held that all islands off southern California had been uplifted from the sea during the Pleistocene times. The discovery of marine fossils and wave cut terraces on Catalina Island were offered as evidence that it, too, had been uplifted at the same time as the others.

A re-examination of this evidence, according to Shepard, Grant and Dietz, indicates that Catalina Island has been elevated since Miocene times — possibly 30,000,000 years earlier than the Pleistocene age.

The existence of shell deposits and rounded pebbles on Catalina Island shows merely that the island has been elevated since Miocene times, or that they may have been carried there by Indians. The flat summits of the mountains and the poorly-developed terraces probably date back to a pre-Pleistocene age, the three scientists point out.

Natural history of the Pacific Coast is dealt with in this column. Contributions will be gratefully received.

New Telephone Books Out As Connections In Carmel Increase

The 1940 telephone directories are now being distributed to Carmel subscribers. Reports from the telephone company are that Carmel connections have advanced 50 in January as against 65 new listings for all 1939. There are now 1645 listings of Carmel subscribers.

Real Estate Deals In Carmel Recorded

DEED: Mary A. Reardon to Joey Perry & Ruth T. Perry, wf., jt. ten. Oct. 11. \$10. Lot 6, Blk. 42, Carmel City.

TRUST DEED: Joey Perry et ux to Tr. for Salinas Valley Bldg.-Loan Assn. Oct. 13. \$2250. Desc. same as above Deed.

DEED: Harry Turner to Gene A. Ricketts & Helen E. Ricketts, wf., jt. ten. Oct. 11. \$10. Lot 5, Blk. 54, Carmel-by-the-Sea.

RECON: Silas W. Mack et al to Jane Gray. Oct. 5, Lot 15, & 8½ of Lot 13, Blk. 53, Carmel.

For Rent

FOR RENT — 2-bedroom, 2-bath house, \$55; good location—unusually attractive.

BETTY JEAN NEWELL
Dolores & 8th Tel. 303

FOR RENT — Furnished room for gentleman. Steam heat, private bath and entrance. Close to town. Tel. Carmel 1470. (5)

FOR RENT — 4-room log cabin; garden and garage; in Carmel Highlands; Ocean view, \$25 a month to desirable tenants. Tel. 612-J. (4)

FOR RENT — Attractive 2-bedroom house, \$30 month. Inquire 3rd house north of Library, east side Lincoln street. (3 & 4)

FOR RENT — Room with steam heat, private bath. Music student may use piano. Can be seen Sunday or Monday mornings. PALMER, Monte Verde & Second. (tf)

APARTMENTS FOR RENT — The Monte Verde Apartments have all been completely renovated and are ready for occupancy. Their rent is reasonable and their location convenient. Phone 71 or call at Monte Verde Apartments, on Monte Verde St. Owner, Percy Parkes.

Miscellaneous

RADIOS, GRAND and UPRIGHT PIANOS to rent. Free cartage plan.
ABINANTE PALACE MUSIC STORE

405 Alvarado St. Monterey

PHILIPPINE WAR INSTRUMENTS — bolo knives, shields, bows, arrows, guns, 24-piece collection. Information write Box GB, Pine Cone, or Phone Carmel 2. (5)

REMODEL YOUR CLOTHES to the new Spring styles. Consult a trained specialist for sure results. Phone 1349. (4-5-6-7)

Lost and Found

LOST — In some shop in Carmel—several oil paintings signed by E. S. Lowe. Will the finder please return them to Sundial Court or the Pine Cone office. (5)

LOST — In Carmel on Wednesday—a pair shell-rimmed glasses. Finder please notify Mrs. Kelsey. Normandy Apt. Tel. 506. (5)

All Saints Church

Next Sunday, the Sunday before Lent, the Service of the Holy Communion at 8 a. m., the Church school at 9:30 a. m. and the Service of the Holy Communion at 11 a. m., with sermon message by the Rector, Rev. C. J. Hulsewe. The choir anthem will be Chas. Gounod's "Send Out Thy Light".

On Wednesday, Feb. 7, Ash Wednesday, 10:30 a. m., the Litany and Service of the Holy Communion. On Thursday, Feb. 8 at 4 p. m. and on each Thursday during Lent thereafter, Evening Prayer with Lenten Meditation.

On Friday, Feb. 9, at 10:30 a. m. and each Friday thereafter, during Lent—the Rector, Rev. C. J. Hulsewe, will give a course on "The American Prayer Book", to which, as well as all other activities of this Parish, the general public is invited.

Next Sunday, Feb. 4, after the 11 a. m. service, a meeting will be held by the Young People of All Saints' Parish to elect delegates to the annual convention of the House of Young Churchmen, to be held at Berkeley on Feb. 24 and 25.

Real Estate

"WE CAN USE MORE LISTINGS"

ROBERT A. NORTON, Real Estate and Insurance. Office Dolores near Ocean Ave. Phone 814. (1)

SANTA LUCIA LOT — \$1550 on easy monthly terms—60x100 ft. Beautiful view of mountains and Carmel Bay. New attractive homes all around—excellent home section, with sun all day long. FHA will loan for new home on this lot. Other desirable large 60 ft. lots in the MISSION TRACT \$1550. All wires underground. All utilities available. For complete information call CARMEL REALTY CO., Las Tiendas Bldg., Ocean Ave., or SEE ANY CARMEL BROKER.

CARMEL WOODS LOTS — Large lots that qualify for FHA Construction Loans \$550, \$600 on low monthly payments, as low as \$11.00 and \$12.00 per month. Lots have 60 ft., 65 ft. and 70 ft. frontages. All utilities are there including sewer for most lots. 6 New attractive homes now under construction in CARMEL WOODS—drive thru and see them. For prices and terms see ANY CARMEL BROKER.

BRAND NEW HOME — Has 3 good bedrooms, two tile baths, large living room overlooking a beautiful, sunny patio—protected from the wind and very warm. 2-car garage, large lot, 60x117 ft., completely fenced. Hardwood floors, gas heat, very modern kitchen. Within 5 minutes' walk of postoffice, in a desirable residential section. Has nice oak trees, one in the patio. Price of \$6500 is reasonable and can be paid for monthly on FHA Loan, approximately \$53.00 month, including taxes and fire insurance. Your rent will pay for this new modern home. CARMEL REALTY CO., Las Tiendas Bldg., Ocean Ave. Phone 66.

Large Lots

\$500

\$600

CARMEL WOODS

Low Monthly Terms

All Utilities

FHA Loans Easily Secured

6 New Homes Now Being Built

Drive Thru to See Them

Inquire Any Carmel Broker

Important Meet Tonight On High School Subject

Parents, citizens and taxpayers of the Carmel unified school district are invited to an important meeting at Sunset school library this evening at 8 o'clock for discussion of the proposed Carmel high school.

The following is a statement by Peter Mawdsley, chairman of the board of trustees, in regard to tonight's meeting:

Jan. 20, 1940.

"With the letting of bids Thursday afternoon, construction on the new high school buildings should be under way immediately."

"The Board of Trustees is now in a position to answer the many questions of interested citizens as to facts and figures on the building project, with actual contract costs at hand. In order to turn over all available information to the public, the board has called a general meeting for Friday evening, Feb. 2, at 8 o'clock."

"We face many problems with the start of actual construction. The high school has been a community dream and a community concern since the election at which Carmel formed its own high school district. The board wishes to keep this close community contact in the direction of its future action."

"We are broadcasting a general invitation to the public through the newspapers and letters to organized groups in Carmel. We hope that community interest will be shown in a large and representative attendance at this meeting."

Popular Lecture On O. Henry to be Heard Monday

Wherever Dr. Anthony F. Blanks, University of California professor who has spent his sabbatical year in Carmel, speaks on "O. Henry, American," his lecture is well received.

He will speak before the Carmel Woman's Club at Pine Inn on Monday afternoon at 2:30, emphasizing the importance of William Sidney Porter's position as the creator of the short story in America. Luncheon at Pine Inn will precede the regular February meeting.

Prof. Blanks has visited all of the American towns and cities in which O. Henry's background was developed and has done much research into the family records of the great American writer.

The speaker was born in Columbia, La., in 1864 and studied at Vanderbilt, Ohio Wesleyan, Harvard, Dartmouth, University of California and Yale. His subject is public speaking. He received his Ph. D. from Stanford school of letters in 1928. His teaching experience includes positions at many American universities as well as in Japan and he has been acting head of the Stanford department of public speaking as

well as associate professor at Berkeley.

He has written widely for publication. He recently completed "History of the Teaching of Public Speaking in the United States," a 500-page volume in publication.

Burglars Enter Church and Home on Scenic Drive

A pair of scissors is the link between two forced entries in Carmel in the last week. The First Church of Christ, Scientist, was broken into last Friday night or early Saturday morning.

Nothing of value was taken, but the thief used a pair of scissors to pry open cupboards and drawers in search for money. None was on the premises, all funds having been deposited in the bank Friday afternoon. In his search, the thief spent considerable time in the church and office and also broke into the adjoining Sunday school building.

Sometime over the week-end, two persons forcibly entered the home of Mrs. Geo. P. Wintermute, on Scenic Drive. The report was made to the police at noon on Tuesday by Mrs. Pauline Elias, housekeeper for Mrs. Wintermute, who is at present in Boston. Mrs. Elias visited the house Tuesday to see that everything was all right. Finding evidences of occupation, she thought that Mrs. Wintermute had returned and began to clear up.

Around noon, she decided that she had better inform the police. Upon investigation, police decided that the house had been broken into several days earlier and that two persons had been living there. Entry was first made through a window in the basement, but, as the basement is shut off from the rest of the house, a window was broken in an upstairs bathroom to gain admittance to the main part of the house.

Police searched the house thoroughly for fingerprints, but little was found due to the house-cleaning just completed. The intruders had slept in the beds, turned on the heat, listened to the radio and used food in the closets.

The connection between the two crimes was the scissors used to open the drawers in the church and the scissors used to open the canned food in the Wintermute home. Police believe that, with the coincidence of time, indicate that both forcible entries are related. No arrests have been made.

Meanwhile, until Mrs. Wintermute returns from Boston, police will not know if anything has been stolen from the house. Their investigation thus far indicates the home was only used as headquarters for the raiders.

Woman's Book Section Meeting Memorial to Mrs. I. N. Ford

The Carmel Woman's Club book section will meet next Wednesday to hear a review of "A Good Company" by Mary Ellen Chase. The reviewer will be Mrs. H. S. Nye.

This meeting will take the form of a memorial to the late Mrs. I. N. Ford who for five years was chairman of the book section. The group will meet at Pine Inn at 10:30 a. m.

This is the only section meeting set for next week by the Woman's Club, although the general meeting will be held on Monday.

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DEED: Max T. Smith et ux to Frank Schwabacher & Hannah M. Schwabacher, wf., jt. ten. Sept. 22. \$10. Lot 16, Blk. B-11, Add. 7, Carmel.

Community Calendar

FRIDAY, FEB. 2
Carmel Sanitary Board meeting.
Sundial Court. 7:30 p. m.

Public meeting. Carmel Unified school board. Sunset library. 8 p. m.
Carmel Women's Democratic Club. Home of Miss Elsa Blackman, Carmelo just south of Ocean avenue. 2 p. m.

MONDAY, FEB. 5
Carmel Woman's Club. Luncheon followed by lecture by Prof. Anthony F. Blanks on "O. Henry, American." Pine Inn 1 p. m.

WEDNESDAY, FEB. 7
Carmel Woman's Club, book section. Pine Inn. 10:30 a. m.

THURSDAY, FEB. 8
Carmel Forum. Rev. Carel J. Hulsegew. "World Youth." Sunset auditorium. 8 p. m.

Mary Cook Cowerd Pleases Listeners In Song Recital

Pleasing was the singing voice and personality of the blind soprano, Mary Cook Cowerd, who, sponsored by Kit Whitman of the Carmel Art Institute, gave a convincing recital before a good crowd at Del Monte on Tuesday evening.

The proceeds are shared with the foundation in California which is to provide Seeing-Eye dogs for blind persons of the Pacific Coast, and the blind artists fund, which aids persons planning careers. This has been the career of Mrs. Cowerd herself, who, instead of giving in to the disability suffered as a little girl, went bravely forth to win new worlds.

Sharing in the program was Rose Besnick, blind pianist, who explained that the Seeing-Eye dogs are the greatest advance for the aid of the blind since the invention of braille. She explained the training of these dogs and the serious side of their lives as "career dogs".

Jewels Worth \$3000 Stolen—No, They're Not Stolen After All

Mr. and Mrs. Don McFadden of the Mission Ranch Club are out of town for the week-end. Maybe it's because Don's face is still red over the embarrassing contretemps this week on a matter of who stole the family jewels.

Jewelry valued at \$3000 belonging to Mrs. McFadden was reported stolen to police and the sheriff's office. A great man-hunt promptly got underway, with all law-enforcing agencies combining to spread a dragnet through the local underworld.

However, just when the hunt was really underway, Don called up to say that the jewelry had been found. It was just a case of forgetfulness. The McFaddens are expected back on Monday—if they don't forget.

Mrs. Nellie de Amaral, Wife of Joe de Amaral, Leaves Ten Children

Mrs. Nellie Machado de Amaral died suddenly on Sunday morning after being rushed to hospital at Salinas. She was 44 years of age.

She leaves besides her husband, Joe de Amaral, ten children, Joe, George, Richard, Robert, John, Howard, Marie, Dorothy, Shirley and Joyce, besides her mother, Mrs. Mary Machado; three brothers, Dave, Fred and William Machado, all of Carmel; and five sisters, Mrs. Addie

MARYAN NEUBAUER CROWE
Vocalist
Voice Building a Specialty
Telephone 1246

Topsy and Eva Do Stuff For Paralysis Benefit

Topsy and Eva have left a long trail of years behind them, but they still refuse to grow up.

Last Sunday evening at Del Monte they won an enthusiastic audience among those who had come to see them for the first time and among those who had seen them again and again over the years.

Their silly mops of yellow hair, their gay gallavanting about the Ball room, their irresponsible laughter and the songs warmed many a heart, and the nostalgic lyrics of other years made all that audience one.

"Spain, Spain, Wonderful Spain!" was the kick-off—and the rest was just plain, unadulterated foolishness. Somewhere in the night rang out the clear tenor of Mort Henderson. Byington Ford introduced the gals and gave them the customary shove-off.

In the contest that ensued, Duncan Sisters vs. Polio, the Duncans won, heads up. And, take it from anyone who was there, the years have done little to their voices and the impertinent stage whispers!

Proceeds of the benefit resulted in approximately \$800 more to the account of the infantile paralysis fund being raised on the peninsula.

February Is a Rainy Month

But you can save yourself the discomfort, trouble and possible ill health that come when you try to do your own washing in wet weather. . . . Let us pick up your laundry and deliver it back quickly, fresh and clean, and inexpensively, too.

CARMEL LAUNDRY

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Fifth and Junipero

Does a Chipped China Saucer Add to the Beauty of a Plant?

Say you have a blooming geranium in a festive green pot. You set it on the radio, with a saucer under it. The saucer doesn't add to the beauty of the flower, and it usually leaves a stained ring on the radio's polished surface.

But here's the answer to that problem: MOIST-SHUR PLANTRAYS.

They're made of rubber and are unbreakable. They have a sunken bottom, with a patented wick to absorb water and feed it back to the plant. They come in red, and green. There are four sizes, with diameters of six, eight, twelve and fourteen inches. Prices begin at 20 cents.

MOIST-SHUR PLANTRAYS are new. They have been on the Coast only a month. The place to get them is

Matthews Garden Supply

DOLORES STREET

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